



BOOK NO.

ACCESSION

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APPENDIX

TO

JOURNALS OF ASSEMBLY,

OF THE

TENTH SESSION OF THE LEGISLATURE

OF THE

STATE OF CALIFORNIA.

SACRAMENTO:

JOHN O'MEARA, STATE PRINTER.

1859.

TABLE OF CONTENTS.

- 1.—Annual Report of the Controller of State for the year 1858.
- 2.—Annual Report of the Treasurer of State for the year 1858.
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- 5.—Annual Report of the Attorney-General for the year 1858.
- 6.—Annual Report of the Secretary of State for the year 1858.
- 7.—Annual Report of the State Registrar for the year 1858.
- 8.—Annual Report of the Trustees of the Insane Asylum for the year 1858.
- 9.—Annual Report of the Board of State-prison Directors for the year 1858.
- 10.—Memorial of the Military Convention relative to a Militia Law.
- 11.—Remonstrance of Members of the Legal Profession against Senate bill No. 58.

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ANNUAL REPORT

OF

THE CONTROLLER OF STATE,

FOR

THE YEAR 1858.

Case 2:20-cv-00000
111

NOTICE TO CREDITORS

IN RE: THE ESTATE OF JAMES J. O'NEAL, DECEASED

JOHN O'MEARA, STATE PRINTER.

CONTROLLER'S REPORT.

OFFICE OF CONTROLLER OF STATE, }
Sacramento, Dec. 15th, 1858. }

To His Excellency,

JOHN B. WELLER,

Governor of the State of California :

SIR :—In accordance with an "Act concerning the Office of Controller," passed January 19, 1850, I have the honor herewith to submit a Report of the financial condition of the State, for the year ending June 30, 1858.

The various items will be found under the following heads :

A.

Receipts into the State Treasury for the ninth fiscal year.

B.

Expenditures for the ninth fiscal year.

C.

Tabular statement of the amount of each appropriation made by law, the amount paid under the same, and the balance remaining unexpended, June 30, 1858.

D.

Abstract statement of the assessment of property, of all kinds, for the year 1858, and the amount of State tax due.

E.

Statement of the condition of the several funds, June 30, 1858.

F.

Estimate of the receipts for the tenth fiscal year, ending June 30, 1859.

G.

Estimate of the expenditures for the tenth fiscal year, ending June 30, 1859.

H.

Amount of Warrants issued from June 30 to December 15, 1858.

I.

Receipts into the Treasury, from July 1 to December 15, 1858, inclusive.

J.

Abstract statement of the amount of "stamped paper" sold, the expense of carrying out the provisions of the "Stamp Act," and the net amount of revenue derived therefrom, from June 30, 1857, to December 15, 1858.

The taxable property of the State, for the year 1858, is estimated at nearly one hundred and twenty-four millions of dollars. Only twenty-five counties have yet made returns of assessments for the present year, and the estimate is based upon the returns of last year, from the Counties which have failed to transmit the proper reports to this office.

This amount is nearly two millions of dollars less than the amount of taxable property reported for 1857. While, in a majority of the Counties from which returns have been received, the value of property has increased, in several of the most wealthy Counties there appears a large decrease, and, in the City and County of San Francisco, the assessment has fallen off nearly nine millions of dollars. This decline in the value of property, with the reduction of the State tax to sixty cents on the one hundred dollars, has decreased the amount of taxes due the State to \$743,729, which is \$37,302 less than the State tax of 1857; and it is certain that an unusually large delinquent-list will still further diminish the revenue.

The present financial condition, and the future liabilities of the State, imperatively demand an increase of the tax for the ensuing year, unless the law controlling the distribution of the proceeds of the sales of State and County licenses is changed.

The amended Revenue Law, passed April 17, 1858, by which all the proceeds of the sales of ninth and tenth class merchandise, and third class liquor licenses, are paid into the County Treasuries, has worked a still further diminution of the receipts into the Treasury of the State, as will be seen by an examination of the subjoined statement:

Receipts from sales of liquor licenses, for the six months ending	
December 31, 1857.....	\$33,140 26
Receipts from same, for the six months ending Dec. 31, 1858....	10,969 10
<hr/>	
Decrease	\$22,171 16
Receipts from sales of ninth and tenth class merchandise licenses, for the six months ending December 31, 1857.....	
	\$29,660 52
Receipts from same, for the six months ending Dec. 31, 1858....	9,419 44
<hr/>	
Decrease	\$20,241 08
Total falling-off of receipts from these sources, as compared	
with the corresponding period of the preceding year.....	\$42,412 24

This amount will certainly be doubled during the next six months, thus swelling the loss of revenue, from these sources, for the tenth fiscal year, to \$84,824 48.

It is to be hoped that the law which has operated so disastrously upon the revenues of the State, will be repealed by the coming Legislature, and the distribution of the proceeds of the sales of State and County licenses restored to the ratio under the old law: one-half to the State and Counties, respectively.

In this connection, it will be proper to say, that the Revenue Laws require immediate and thorough revision.

The duties of the various County officers are vaguely defined, and conflicting, and the State suffers great loss by the inefficient manner in which the laws for the collection of the revenue are enforced.

During the last fiscal year the sum of \$4,257 71 was recovered from the sureties of C. F. Lynn, a defaulting Treasurer of Trinity County, by my Predecessor (whose zeal and activity, in the enforcement of the Revenue Laws, is to be commended,) and a suit was instituted against the Ex-Treasurer of Sierra County, and his sureties, for the recovery of \$3,750 24, balance due the State, which is still pending. The Treasurer of Mariposa County, as is alleged, was robbed of \$7,300 State funds, on board the steamer, immediately after her arrival at the levee, in this city, in the month of July last, and no trace of the money or robbers has been found.

The amendment of the law governing the sales of "Swamp and Overflowed Lands," has materially decreased the receipts therefrom, and the enactment of a law similar to the old law, in its general features, would largely increase the sales of these lands.

The short period that has elapsed since my induction into this office, prevents an extended report at this time.

There are other important matters, which will receive consideration hereafter.

I have the honor to be, very respectfully,

Your obedient servant,

A. R. MELONY,

Controller of State.



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32			





TABULAR STATEMENTS.

[B]

EXPENDITURES

For the Ninth Fiscal Year, ending June 30, 1858.

EXECUTIVE DEPARTMENT.

Salaries.

Salary of Governor.....	\$8,946 55	
Salary of Controller of State.....	4,875 00	
Salary of Treasurer of State.....	4,401 32	
Salary of Secretary of State.....	3,800 66	
Salary of Attorney-General	2,499 98	
Salary of Surveyor-General	2,333 32	
Salary of Quartermaster-General	3,516 65	
Salary of Superintendent of Public Instruction...	4,666 64	
Salary of Members of Board of Examiners.....	1,947 19	
Salary of Treasurer of State, "Extra,".....	1,200 00	
Total.....		\$38,187 31

Secretaries and Clerks.

Salary of Governor's Private Secretary.....	\$2,676 66	
Salary of Clerks in Controller's Office.....	12,360 00	
Salary of Clerks in Treasurer's Office.....	5,400 00	
Salary of Clerks in Secretary of State's Office...	10,966 98	
Salary of Clerk to Board of Examiners.....	866 17	
Salary of extra Clerk to Treasurer of State.....	1,833 33	
Total.....		34,103 14

Contingent Expenses.

Contingents of Governor, "Special,"	\$5,446 05	
Contingents of Governor's Office.....	2,585 57	
Contingents of Controller's Office.....	2,489 50	
Contingents of Treasurer's Office.....	3,394 10	
Contingents of Secretary of State's Office.....	1,543 86	
Contingents of Quartermaster-General's Office...	1,157 64	
Contingents of Attorney-General's Office.....	1,267 80	
Contingents of Superintendent of Public Instruction's Office.....	2,459 86	
Contingents of Surveyor-General's Office.....	1,129 03	
Contingents of State Library.....	803 25	
Contingents of Board of Examiners	157 50	
Contingents of State Registrar.....	500 00	
Rent of Governor's Office.....	750 90	
Rent of State Library.....	2,100 00	
Rent of Surveyor-General's Office.....	1,450 00	
Rent of Attorney-General's Office.....	510 00	

Carried forward.....		\$72,290 45
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Brought forward.....	\$72,290 45
Rent of Quartermaster-General's Office and Ar- mory	\$1,100 00
Expressing for Controller's Office.....	2,000 00
Purchase of Books for State Library.....	3,293 04
Total.....	34,138 10

JUDICIAL DEPARTMENT.

Salaries of Justices of Supreme Court.....	\$29,455 11
Salaries of District Judges.....	84,953 24
Salary of Secretary of Supreme Court.....	150 00
Salary of Supreme Court Reporter.....	6,699 99
Total.....	121,258 34

Contingents.

Contingents of Supreme Court.....	\$4,251 08
Supreme Court Reports, vols. 5, 6, and 7.....	8,000 00
Rent of Supreme Court Rooms.....	5,565 93
Total.....	17,817 01

LEGISLATIVE DEPARTMENT.

Pay and Mileage of Lieutenant-Governor and Senators	\$49,327 80
Pay and Mileage of Assemblymen.....	103,004 40
Total.....	152,332 20

Officers and Attachés.

Of the Senate.....	\$32,249 00
Of the Assembly.....	31,394 00
Total.....	63,643 00

Contingents.

Of the Senate.....	\$6,958 37
Of the Assembly.....	11,901 24
Postage and Expressing for the Ninth Session of the Legislature.....	2,823 29
Stationery, Fuel, Lights, etc., for the Ninth Ses- sion of the Legislature.....	13,315 74
Carried forward.....	\$461,479 10

Brought forward.....	\$461,479 10
Copying for Assembly.....	1,407 60
Total.....	36,406 24

EXPENDED FOR STATE-PRISON PURPOSES.

Salaries of State-Prison Commissioners.....	\$790 80
Lessee of State-Prison Property.....	90,000 00
Transportation of Prisoners for the Seventh Fiscal Year.....	37 50
Transportation of Prisoners for the Eighth Fiscal Year.....	8,743 75
Transportation of Prisoners for the Ninth Fiscal Year.....	26,653 75
For Temporary Government of State-Prison.....	10,000 00
For Expenses of State-Prison.....	29,302 50
For Arrest of Convicts.....	578 00
For Transportation of Insane Convicts.....	412 50
For preparing Plans and Specifications.....	2,796 00
For Pay of Agent of State-Prison	250 00
Total.....	169,564 80

EXPENDED FOR PRINTING.

For Printing, Paper, and Official Advertisements for the Eighth Fiscal Year.....	\$15,282 84
For Printing, Paper, and Official Advertisements for the Ninth Fiscal Year.....	59,878 43
For Publication of General Laws, "Wood's Digest,"	5,000 00
For Pay of Expert examining Printing Accounts	1,245 81
For Copying Laws for State Printer.....	1,000 00
For Official Advertisements.....	647 50
Total.....	83,054 58

INSANE ASYLUM.

For Support and Maintenance.....	\$61,133 00
For Salaries of Physicians	10,666 64
For furnishing New Wing of Asylum.....	4,000 00
For removing and repairing House of Resident Physician	3,000 00
For building a Residence for Physician.....	4,500 00
Carried forward.....	\$750,504 72

Brought forward.....		\$750,504 72
For erection of additional Buildings.....	1,806 67	
For cultivation and improvement of Grounds of Insane Asylum.....	5,000 00	
Total.....		90,106 31

EXPENDED FOR HOSPITAL PURPOSES.

Indigent Sick of Alameda County.....	\$260 43
Indigent Sick of Amador County	237 52
Indigent Sick of Butte County.....	328 42
Indigent Sick of Calaveras County.....	296 88
Indigent Sick of Contra Costa County.....	131 44
Indigent Sick of Del Norte County	33 75
Indigent Sick of El Dorado County	470 02
Indigent Sick of Fresno County	36 40
Indigent Sick of Humboldt County	79 98
Indigent Sick of Klamath County.....	147 02
Indigent Sick of Los Angeles County	213 85
Indigent Sick of Merced County.....	50 93
Indigent Sick of Marin County	93 57
Indigent Sick of Mariposa County	307 81
Indigent Sick of Monterey County.....	98 19
Indigent Sick of Napa County.....	72 71
Indigent Sick of Nevada County.....	421 08
Indigent Sick of Placer County.....	312 83
Indigent Sick of Plumas County.....	311 45
Indigent Sick of Sacramento County	496 48
Indigent Sick of San Bernardino County	64 01
Indigent Sick of San Luis Obispo County.....	37 09
Indigent Sick of Santa Clara County	328 79
Indigent Sick of Santa Cruz County.....	141 32
Indigent Sick of San Diego County	16 13
Indigent Sick of San Joaquin County.....	416 48
Indigent Sick of Santa Barbara County.....	63 97
Indigent Sick of Shasta County.....	215 29
Indigent Sick of Sierra County	747 31
Indigent Sick of Siskiyou County	636 52
Indigent Sick of San Mateo County	80 83
Indigent Sick of Solano County.....	242 11
Indigent Sick of Sonoma County	383 29
Indigent Sick of Sutter County.....	135 30
Indigent Sick of Stanislaus County	94 88
Indigent Sick of San Francisco County.....	793 62
Indigent Sick of Trinity County.....	289 21
Indigent Sick of Tuolumne County	420 69
Indigent Sick of Tulare County.....	343 39
Indigent Sick of Yolo County	85 53

Carried forward.....	\$840,611 03
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Brought forward	\$840,611 08
Indigent Sick of Yuba County	287 94
Total	10,224 46

EXPENDITURES FOR SCHOOL PURPOSES.

Support of Schools—Alameda County	\$1,763 52
Support of Schools—Amador County	1,770 40
Support of Schools—Butte County	1,000 80
Support of Schools—Calaveras County	998 16
Support of Schools—Contra Costa County	1,037 68
Support of Schools—El Dorado County	3,403 12
Support of Schools—Humboldt County	417 36
Support of Schools—Los Angeles County	3,147 76
Support of Schools—Merced County	211 44
Support of Schools—Marin County	32 24
Support of Schools—Mariposa County	537 52
Support of Schools—Monterey County	1,310 48
Support of Schools—Napa County	1,462 08
Support of Schools—Nevada County	1,342 68
Support of Schools—Placer County	1,886 18
Support of Schools—Plumas County	278 32
Support of Schools—Sacramento County	6,286 92
Support of Schools—San Bernardino County	1,955 76
Support of Schools—San Diego County	249 36
Support of Schools—San Joaquin County	3,430 79
Support of Schools—San Luis Obispo County	338 00
Support of Schools—Santa Clara County	3,476 08
Support of Schools—Santa Cruz County	1,237 60
Support of Schools—Santa Barbara County	1,642 88
Support of Schools—Shasta County	548 72
Support of Schools—Sierra County	579 20
Support of Schools—Siskiyou County	262 24
Support of Schools—San Mateo County	656 72
Support of Schools—Solano County	2,237 95
Support of Schools—Sonoma County	3,728 50
Support of Schools—Sutter County	488 32
Support of Schools—Stanislaus County	559 78
Support of Schools—San Francisco County	13,002 34
Support of Schools—Trinity County	103 84
Support of Schools—Tuolumne County	3,031 41
Support of Schools—Tulare County	364 64
Support of Schools—Tehama County	267 12
Support of Schools—Yolo County	896 64
Support of Schools—Yuba County	1,805 12
Total	67,750 67
Carried forward	\$918,586 16

Brought forward	\$918,586 16
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MISCELLANEOUS EXPENSES.

Paid State Agricultural Society.....	\$10,000 00
“ E. F. Burton, (Controller <i>ad interim</i> ,)	337 50
“ Britton & Rey, (preparing State Bonds,).....	911 50
“ Translating Laws, etc.	1,397 60
“ Distributing Laws and Journals	1,449 30
“ Indexing Laws and Journals	1,800 00
“ Prosecuting Delinquents	3,054 45
“ Rent of State-House	16,000 00
“ Draughtsman to Surveyor-General	3,200 00
“ Military Expenses	1,089 48
“ Expenses under Stamp Act	7,567 08
“ Expenses for Indian Hostilities	325 00
“ Examination of Accounts of S. A. McMeans..	216 00
“ Costs of Suit	932 10
“ Advertising Land Sales	6,628 00
“ Clerk of Board of Examiners of War Claims..	582 00
“ Preparing State Bonds.....	250 00
“ Peter Freer, “Relief Act,”	221 00
“ J. M. Murphy and J. S. Miller, “Relief Act,”	1,500 00
“ B. F. Hastings, “Relief Act,”	1,000 00
“ A. J. F. Phelan, “	1,020 00
“ J. D. Potter, “	261 00
“ T. R. Eldredge, “	155 85
“ Ferris Forman, “	230 50
“ Sacramento Gas Co., “	134 25
“ O. O. Ball, “	29 62
“ Samuel Neal, Jr., “	200 00
“ John B. Cecil, “	307 50
“ Charles Binney, “	73 00
“ Hammond & Co., “	11 00
“ Thomas Tennent, “	177 65
“ Daniel J. Thomas, “	250 00
“ Frank Hereford, “	5,000 00
“ L. B. Curtis, “	35 50
“ J. C. Hays, “	7,115 31
“ Pacific Sentinel, “	57 50
“ D. & J. Maddux, “	24 00
“ C. Branstrom, “	35 50
“ C. Hubbard, “	50 00
“ W. S. White, “	18 00
“ B. M. Fetter, “	178 00
“ James F. Klane, “	52 00
“ R. Manning, “	50 00
“ J. Benaden, “	40 00

Total.....	73,967 19
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Grand Total	\$992,553 35
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Brought forward, (Grand Total,).....	\$992,553 35
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RECAPITULATION OF EXPENDITURES FOR THE NINTH FISCAL
YEAR.

Executive Department.....	\$106,428 55	
Judicial Department.....	139,075 35	
Legislative Department.....	252,381 44	
Insane Asylum	90,106 31	
Hospital Purposes.....	10,224 46	
School Purposes.....	67,750 67	
State-Prison Purposes	169,564 80	
Printing Purposes.....	83,054 58	
Miscellaneous Expenses.....	73,967 19	
Grand Total.....		\$992,553 35

[C]

TABULAR STATEMENT

Of the Amount of each Appropriation made by Law, the Amount Audited under each, and the Balance Unexpended at the close of the Ninth Fiscal Year, ending June 30, 1858.

PURPOSE AND DATE OF ACT.	Amount of Appropriation.	Amount Expended.	Amount Unexpended.	Amount Overdr'n
For Support of Indigent Sick, Act of May 19th, 1853.....	\$10,224 46	\$10,224 46		.....
For Support of Common Schools, Act of May 3d, 1855.....	67,750 67	67,750 67		.....
<i>General Appropriation April 30, 1857—(Ninth Fiscal Year.)</i>				
For Salary of Governor.....	8,000 00	8,000 00		.....
For Salary of Controller of State	4,000 00	4,000 00		.....
For Salary of Treasurer of State.....	4,000 00	4,000 00		.....
For Salary of Secretary of State.....	3,500 00	3,500 00		.....
For Salary of Attorney-General	2,000 00	2,000 00		.....
For Salary of Surveyor-General	2,000 00	2,000 00		.....
For Salary of Quartermaster General	2,000 00	2,000 00		.....
For Salary of Superintendent of Public Instruction.....	3,750 00	3,500 00	250 00	.....
For Salary of Clerks in Office of Controller of State.....	10,180 00	10,180 00		.....
For Salary of Clerks in Office of Treasurer of State.....	5,640 00	4,800 00	840 00	.....
For Salary of Clerks in Office of Secretary of State.....	8,460 00	8,460 00		.....
For Salary of Supreme Judges—(two appropriations).....	23,456 00	23,455 15	85	.....
For Salary of District Judges—(two appropriations).....	71,000 00	67,567 31	3,432 69	.....
For Salary of Private Secretary of Governor—(two appropriations).....	2,260 00	2,260 00		.....
For Contingent Expenses of Governor	900 00	900 00		.....
For Rent of Governor's Office	600 00	550 00	49 10	.....

TABULAR STATEMENT OF THE AMOUNT OF EACH APPROPRIATION MADE BY LAW.
(CONTINUED.)

PURPOSE AND DATE OF ACT.	Amount of Appropriation.	Amount Expended.	Amount Unexpended.	Amount Overdr'n
For Contingent Expenses of Governor—"Special"	\$5,000 00	\$4,996 05	3 95	.....
For Contingents of Controller's Office.....	2,000 00	2,000 00	.....	.....
For Contingents of Treasurer's Office.....	2,500 00	2,500 00	.....	.....
For Contingents of Secretary of State's Office.....	1,200 00	1,203 98	.....	3 98
For Contingents of Office of Quartermaster-General.....	360 00	360 00	.....	.....
For Contingents of Office of Attorney-General.....	600 00	600 00	.....	.....
For Contingents of Office of Superintendent of Public Instruction.....	2,000 00	1,965 59	34 41	.....
For Contingents of Office of Surveyor-General.....	900 00	789 99	110 01	.....
For Contingent Expenses of Supreme Court.....	3,000 00	3,000 00	.....	.....
For Translating Laws into Spanish.....	1,000 00	347 60	652 40	.....
For Transportation of Prisoners.....	35,000 00	26,653 75	8,346 25	.....
For Insane Asylum.....	40,000 00	40,000 00	.....	.....
For Salary of Resident-Physician.....	5,000 00	5,000 00	.....	.....
For Salary of Visiting-Physician.....	3,000 00	3,000 00	.....	.....
For Indexing Journals of Legislature of 1858.....	600 00	600 00	.....	.....
For Marginal Notes and Index to Laws.....	300 00	300 00	.....	.....
For Contingent Expenses of State Library.....	600 00	601 00	.....	1 00
For Stationery, Fuel, Lights, etc., for Legislature—(two appropriations).	11,500 00	11,075 74	424 26	.....
For Rent of State-House.....	12,000 00	12,000 00	.....	.....
For Draughtsman of Surveyor-General.....	1,200 00	1,200 00	.....	.....
For Printing, Paper, and Official Advertisements.....	60,000 00	59,878 43	121 57	.....
For Pay of Board of State-Prison Commissioners.....	500 00	340 00	160 00	.....
For Salaries of Members of Board of Examiners.....	1,200 00	966 67	233 33	.....
For Salary of Clerk of Board of Examiners.....	600 00	482 84	117 16	.....
For Rent of Supreme Court Room—(first six months).....	2,500 00	2,499 30	70	.....
For Rent of Supreme Court Room—(last six months)	1,800 00	1,399 98	400 02	.....

For Rent of State-Library	\$1,800 00	\$1,500 00	300 00
For Payment for Expressing for Controller's Office.....	1,500 00	1,500 00	.....
For Rent of Surveyor-General's Office.....	1,200 00	1,050 00	150 00
For Rent of Attorney-General's Office.....	360 00	360 00	.....
For Pay of Expert, examining Printing Accounts	500 00	500 00	.....
For Copying Laws for State Printer.....	500 00	500 00	.....
For Contingent Expenses of State-Prison Commissioners.....	400 00	34 00	366 00
For Extra Clerk-hire in Treasurer's Office, provided the State Debt be assumed by the People	2,500 00	1,833 33	666 67
For Rent of Office and Armory of Quartermaster-General	1,200 00	1,100 00	100 00
For Cultivation and Improvement of the Grounds of Insane Asylum	5,000 00	5,000 00	.....
For Prosecuting Delinquents.....	3,000 00	2,054 45	945 55
For Expenses of Stamp Act.....	10,000 00	7,567 08	2,432 92
For Contingent Expenses of Senate.....	5,000 00	4,007 06	992 94
For Contingent Expenses of Assembly	9,000 00	8,969 75	30 25
For Pay of Officers and Clerks of the Senate.....	15,000 00	14,928 00	72 00
For Pay of Officers and Clerks of the Assembly.....	24,000 00	24,019 00	19 00
For Per Diem and Mileage of Lieutenant-Governor and Senators.....	40,000 00	38,977 80	1,022 20
For Per Diem and Mileage of Assemblymen	100,000 00	86,442 40	13,557 60
<i>General Appropriation of April 30, 1857—(Eighth Fiscal Year.)—Balances.</i>			
For Salary of Governor.....	834 01	833 33	68
For Salary of Controller of State.....	375 00	375 00	.....
For Salary of Treasurer of State.....	375 00	375 00	.....
For Salary of Secretary of State.....	292 02	291 66	36
For Salary of Attorney-General	500 34	499 98	36
For Salary of Surveyor-General	333 68	333 32	36
For Salary of Quartermaster-General	750 00	750 00	.....
For Salary of Superintendent of Public Instruction.....	1,167 00	1,166 64	36
For Salary of Clerks in Controller's Office	2,440 00	2,180 00	260 00
For Salary of Clerks in Treasurer's Office	1,160 00	600 00	560 00
For Salary of Clerks in Office of Secretary of State.....	2,450 00	2,430 00	20 00

TABULAR STATEMENT OF THE AMOUNT OF EACH APPROPRIATION MADE BY LAW.

(CONTINUED.)

PURPOSE AND DATE OF ACT.	Amount of Appropriation.	Amount Expended.	Amount Unexpended.	Amount Overdr'n
For Salary of Supreme Judges	\$6,000 68	\$5,999 96	72	.....
For Salaries of District Judges	23,498 70	17,385 93	6,112 77	.....
For Salary of Private Secretary to Governor	417 34	416 66	68	.....
For Salary of Secretary of Supreme Court	100 00	100 00	.....	.....
For Contingent Expenses of Governor	300 00	300 00	.....	.....
For Rent of Governor's Office	150 00	150 00	.....	.....
For Contingent Expenses of Governor's Office—"Special"—(two appropriations)	450 00	450 00	.....	.....
For Contingent Expenses of Controller's Office	473 65	464 10	9 55	.....
For Contingent Expenses of Treasurer's Office	602 14	419 91	182 23	.....
For Contingent Expenses of Secretary of State	400 00	339 88	60 12	.....
For Contingent Expenses of Quartermaster-General	650 00	650 00	.....	.....
For Contingent Expenses of Office of Attorney-General, and for Expenses in Suits where the State is Party	363 60	291 50	72 10	.....
For Contingent Expenses of Office of Superintendent of Public Instruction	667 00	443 50	223 50	.....
For Contingent Expenses of Office of Surveyor-General	300 00	264 04	35 96	.....
For Contingent Expenses of Supreme Court	554 00	554 00	.....	.....
For Contingent Expenses of the Senate	7,712 80	2,951 31	4,761 49	.....
For Contingent Expenses of the Assembly	9,866 37	2,847 26	7,019 11	.....
For Translating Laws of 1857 into Spanish	800 00	800 00	.....	.....
For Transportation of Prisoners	12,000 00	8,585 00	3,415 00	.....
For Distributing Laws and Journals through the Post-Office	600 00	600 00	.....	.....
For Insane Asylum	16,000 00	15,983 00	17 00	.....
For Salary of Resident-Physician	1,667 00	1,666 64	36	.....
For Salary of Visiting-Physician	1,000 00	1,000 00	.....	.....

For Furnishing New Wing of State Insane Asylum.....	4,000 00	4,000 00	.....
For Removing and Repairing House of Resident-Physician, (Insane Asylum).....	.....	.....	.....
For Building Residence for Physicians, (Insane Asylum).....	3,000 00	3,000 00	.....
For Officers and Attachés of Senate.....	4,500 00	4,500 00	.....
For Officers and Attachés of Assembly.....	9,174 00	8,406 00	768 00
For Per Diem and Mileage of Senators.....	7,657 00	7,375 00	282 00
For Per Diem and Mileage of Assemblymen.....	13,428 00	10,302 00	3,126 00
For Indexing Laws and Journals for Legislature of 1857.....	22,124 00	16,562 00	5,562 00
For Marginal Notes and Index to Laws.....	600 00	600 00	.....
For Contingent Expenses of State Library.....	300 00	300 00	.....
For Prosecuting Delinquents, under the Direction of the Board of Examiners.....	200 00	200 00	.....
For Stationery, Fuel, Lights, etc., for Legislature.....	1,000 00	1,000 00	.....
For Rent of State-House.....	2,240 00	2,240 00	.....
For Draughtsman of Surveyor-General.....	4,000 00	4,000 00	.....
For Printing, Paper, and Official Advertisements.....	800 00	800 00	.....
For Pay of Lieutenant-Governor, as Member of the Board of State-Prison Commissioners.....	39,589 55	15,229 47	24,360 08
For Salaries, as Members of the Board of Examiners—(Secretary of State and Attorney-General).....	167 00	166 80	20
For Salary of Clerk to Board of Examiners.....	300 00	300 00	.....
For Rent of Supreme Court Rooms.....	150 00	150 00	.....
For Rent of State-Library Rooms.....	1,675 00	1,666 65	8 35
For Pay for Copying, for Assembly.....	600 00	600 00	.....
For Payment for Expressing, for the Controller's Office.....	2,782 80	1,407 60	1,375 20
For Rent of Surveyor-General's Office.....	500 00	500 00	.....
For Rent of Attorney-General's Office.....	400 00	400 00	.....
For Pay of Experts, examining Printing Accounts.....	120 00	110 00	10 00
For Copying Laws for State Printer.....	500 00	500 00	.....
For Reports of Supreme Court, (Volume V).....	500 00	500 00	.....
	4,000 00	4,000 00	.....

TABULAR STATEMENT OF THE AMOUNT OF EACH APPROPRIATION MADE BY LAW.
(CONTINUED.)

PURPOSE AND DATE OF ACT.	Amount of Appropriation.	Amount Expended.	Amount Unexpended.	Amount Overdr n
<i>Appropriation of March 29, 1858—("Deficiency.")</i>				
For Salary of Governor.....	\$113 22	\$113 22	.....	.....
For Salary of Controller of State.....	500 00	500 00	.....	.....
For Salary of Treasurer of State.....	26 32	26 32	.....	.....
For Salary of Secretary of State.....	9 00	9 00	.....	.....
For Salary of Quartermaster-General.....	1,000 00	766 65	233 35	.....
For Salary of Clerks in office of Secretary of State.....	76 98	76 98	.....	.....
For Contingent Expenses of Governor.....	1,500 00	1,360 57	139 43	.....
For Rent of Governor's Office.....	50 00	50 00	.....	.....
For Contingents of Treasurer's Office.....	800 00	474 19	325 81	.....
For Contingent Expenses of Quartermaster-General.....	136 00	84 64	51 36	.....
For Contingent Expenses of Attorney-General.....	300 00	300 00	.....	.....
For Contingent Expenses of Supreme Court.....	1,600 00	687 83	912 17	.....
For Insane Asylum.....	5,150 00	5,150 00	.....	.....
For Rent of Office of Attorney-General.....	40 00	40 00	.....	.....
For Pay of Expert, examining Printing Accounts.....	245 81	245 81	.....	.....
For Pay of Officers and Clerks of the Senate.....	7,000 00	7,000 00	.....	.....
For Distributing Laws, Journals, and Reports, through the Post-Office....	850 00	849 30	70	.....
For Official Advertisements.....	1,200 00	647 50	552 50	.....
For Costs of Suit where the State is Party.....	1,000 00	932 10	67 90	.....
For Pay of Clerk to Board of Examiners of Military and War Claims.....	582 00	582 00	.....	.....
For Preparing State Bonds.....	250 00	250 00	.....	.....

For Payment of State Treasurer, extra Services, issuing State Bonds.....
 For Pay of Officers and Clerks of Senate.....
 For Erection of Additional Buildings at Insane Asylum.....
 For Contingent Expenses of State Registrar.....
 For Translating and Publishing Law concerning Chinese and Mongolians.....

Appropriation of April 23, 1858.

For Salary of Secretary of Supreme Court.....
 For Expenses of State-Prison.....

Appropriation of March 18, 1857—("Eighth Fiscal Year.")—Balances.

For Contingent Expenses of Governor.....
 For Contingent Expenses of Controller's Office.....
 For Contingent Expenses of Quartermaster-General.....
 For Contingent Expenses and Rent of Office of Attorney-General.....
 For Contingent Expenses of Superintendent of Public Instruction.....
 For Contingent Expenses of Surveyor-General.....
 For Contingent Expenses of Supreme Court.....
 For Contingent Expenses of the Assembly.....
 For Transportation of Prisoners.....
 For Per Diem and Mileage of Senators.....
 For Contingent Expenses of State Library.....
 For Pay of Lieutenant-Governor, as Member of the Board of State-Prison Commissioners.....

Appropriation of March 1, 1858.

For Draughtsman of Surveyor-General.....

1,200 00	1,200 00	1,200 00	.....
2,000 00	1,915 00	85 00	.....
40,000 00	1,806 67	38,193 33	.....
500 00	500 00	.....	.....
500 00	250 00	250 00	.....
1,800 00	50 00	1,750 00	.....
75,000 00	29,302 50	45,697 50	.....
25 00	25 00	.....	.....
25 40	25 40	.....	.....
63 83	63 00	83	.....
150 00	76 30	73 70	.....
50 77	50 77	.....	.....
75 00	75 00	.....	.....
9 25	9 25	.....	.....
84 23	84 23	.....	.....
158 75	158 75	.....	.....
48 00	48 00	.....	.....
2 25	2 25	.....	.....
50 00	50 00	.....	.....
1,200 00	1,200 00	.....	.....

TABULAR STATEMENT OF THE AMOUNT OF EACH APPROPRIATION MADE BY LAW.
(CONTINUED.)

PURPOSE AND DATE OF ACT.	Amount of Appropriation.	Amount Expended.	Amount Unexpended.	Amount Overdr'n
<i>Appropriation of March 21, 1856.</i>				
For Lease of State-Prison Property.....	\$90,000 00	\$90,000 00	.....	.....
For Expenses of State Prison Commissioners.....	500 00	200 00	300 00	.....
<i>Appropriation of April 21, 1858.</i>				
For Salary as Clerk to Board of Examiners.....	1,200 00	233 33	966 67	.....
For Salaries of Members of the Board of Examiners.....	3,500 00	680 52	2,819 48	.....
For Contingent Expenses of Board of Examiners.....	500 00	157 50	342 50	.....
<i>Audited under Act Approved April 25, 1855.</i>				
For Military Fund.....	1,089 48	1,089 48	.....	.....
<i>Audited under Act of May 1, 1852.</i>				
For Library Fund.....	3,293 04	3,293 04	.....	.....
<i>Appropriation of April 21, 1856.</i>				
For Transportation of Prisoners.....	4,813 25	37 50	4,775 75	.....

Audited under Act of April 25, 1857.

For Expenses incurred in the Suppression of Indian Hostilities in certain Counties of this State.....

325 00

325 00

.....

Act of March 15, 1856.

For Printing, Paper, and Official Advertisements.....

282 08

53 37

228 71

Appropriation of March 17, 1858.

For Examination of the Accounts of S. A. McMeans.....

500 00

216 00

284 00

Appropriation of April 19, 1856—("Annual \$4,000.")

For Salary of Supreme Court Reporter.....

6,699 99

6,699 99

.....

Appropriation of February 26, 1858.

For Temporary Government of State-Prison.....

10,000 00

10,000 00

.....

Appropriation of April 6, 1858.

For Supreme Court Reports, (Vols. VI and VII).....

4,000 00

4,000 00

.....

Appropriation of January 11, 1858.

For Postage and Expressing, (for Legislature of 1858).....

2,950 00

2,823 29

126 71

Appropriation of Feb. 27, 1858.

For Advertising, (Session of 1858,).....

6,648 50

6,628 00

20 50

TABULAR STATEMENT OF THE AMOUNT OF EACH APPROPRIATION MADE BY LAW.
(CONTINUED.)

PURPOSE AND DATE OF ACT.	Amount of Appropriation.	Amount Expended.	Amount Unexpended.	Amount Overdr'n
<i>Appropriation of April 7, 1858.</i>				
For Relief of Certain Persons.....	320 00	320 00		
<i>Miscellaneous Appropriations.</i>				
To William S. White—Contingent Expenses of Supreme Court—Appropriation March 18, 1857.....	18 00	18 00		
To E. F. Burton, Controller of State, (<i>ad interim</i>)—Appropriation April 30, 1857.....	337 50	337 50		
To State Agricultural Society—Appropriation May 13, 1854.....	5,000 00	5,000 00		
To Wm. H. R. Wood—(Publication of General Laws.)—Appropriation April 18, 1857.....	5,000 00	5,000 00		
To Peter Freer, Relief Act—Appropriation April 30, 1857.....	221 00	221 00		
To Britton & Rey, preparing State Bonds—Appropriation April 28, 1857.....	911 50	911 50		
To J. M. Murphy and J. L. Miller, Relief Act—Appropriation Feb. 13, 1858.....	1,500 00	1,500 00		
To B. F. Hastings, Relief Act—Appropriation Feb. 12, 1858.....	1,000 00	1,000 00		
To A. J. F. Phelan, Relief Act—Appropriation March 16, 1858.....	1,020 00	1,020 00		
To M. F. Butler, Relief Act—Appropriation March 17, 1858.....	2,796 00	2,796 00		
To J. F. McCauley, Relief Act—Appropriation April 9, 1858.....	412 50	412 50		
To J. D. Potter, Relief Act—Appropriation April 17, 1858.....	261 00	261 00		
To T. R. Eldredge, Relief Act—Appropriation March 29, 1858.....	155 85	155 85		
To Ferris Forman, Relief Act—Appropriation April 21, 1858.....	230 50	230 50		
To Sacramento Gas Company, Relief Act—Appropriation April 21, 1858.....	134 25	134 25		
To O. O. Ball, Relief Act—Appropriation April 21, 1858.....	29 62	29 62		

To Samuel Neal, jr., Relief Act—Appropriation April 21, 1858.....	200 00	200 00	.....
To John B. Cecil, Relief Act—Appropriation Feb. 11, 1858.....	307 50	307 50	.....
To Charles Binney, Relief Act—Appropriation April 23, 1858.....	73 00	73 00	.....
To W. G. Poindexter, Relief Act—Appropriation April 24, 1858.....	281 25	281 25	.....
To D. L. Mulford, Relief Act—Appropriation April 24, 1858.....	200 00	200 00	.....
To J. C. Gordon, Relief Act—Appropriation April 22, 1858.....	250 00	250 00	.....
To Hammond & Co., Relief Act—Appropriation April 21, 1858.....	11 00	11 00	.....
To Thomas Tennent, Relief Act—Appropriation April 21, 1858.....	177 65	177 65	.....
To Daniel J. Thomas, Relief Act—Appropriation March 21, 1858.....	250 00	250 00	.....
Paid Frank Hereford, Relief Act of April 20, 1858.....	5,000 00	5,000 00	.....
Paid L. B. Curtis, Relief Act of April 26, 1858.....	35 50	35 50	.....
Paid John C. Hays, Relief Act of April 26, 1858.....	7,115 31	7,115 31	.....
Paid Pacific Sentinel, Relief Act of April 24, 1858.....	57 50	57 50	.....
Paid W. J. Pugh, arrest of Convicts, April 29, 1851.....	96 75	96 75	.....
Paid D. & J. Maddux, Relief Act of April 24, 1858.....	24 00	24 00	.....
Paid C. Branstrom, Relief Act of April 26, 1858.....	35 50	35 50	.....
Paid State Agricultural Society, Relief Act of March 20, 1858.....	5,000 00	5,000 00	.....
Paid Claiborne Hubbard, Relief Act of April 24, 1858.....	50 00	50 00	.....
Grand Total.....	\$1,184,784 64	\$992,553 35	\$192,255 27 \$23 98

ABSTRACT

Of Property of all kinds Assessed for the Year 1858, and the Amount of State Tax due thereon.

COUNTIES.	Number of Acres of Land	Value of the same.	Value of Improvements thereon.	Value of City and Town Lots.	Value of Improvements thereon.	Value of Personal Property.	Total Value of Property.	State Tax thereon at 60 cents on the \$100.
Alameda	166,988	\$1,358,466	\$331,500	\$175,513	\$161,090	\$994,267 00	\$3,020,836	\$18,125 01
Amador	<i>a</i>	341,509	290,745	.....	.....	1,418,980 00	2,258,494	13,550 96
Butte	<i>a</i>	1,836,159	2,183,918	142,787	.....	.....	4,307,262	25,843 59
Calaveras	<i>a</i>	22,580	217,078	51,370	1,053,385	1,076,977 00	2,421,390	14,528 34
Colusa	<i>b</i>	.....	.....	.....	.....	.....	.....	.....
Contra Costa	<i>a</i>	724,413	300,305	.....	.....	1,511,899 00	2,536,617	15,219 70
Del Norte	<i>a</i>	71,630	104,520	.....	33,970	309,031 00	519,151	3,108 90
El Dorado	<i>a</i>	196,890	847,415	.....	.....	1,773,394 00	2,817,099	16,906 19
Fresno	<i>a</i>	165,105	3,900	55,315	.....	462,510 00	579,830	3,478 98
Humboldt	<i>a</i>	37,009	93,775	50,259	162,430	725,435 00	1,068,908	6,413 43
Klamath	<i>b</i>	.....	.....	.....	.....	.....	.....	.....
Los Angeles	<i>c</i>	494,872	685,519	.....	.....	1,208,655 00	2,370,523	14,223 16
Marin	<i>a</i>	540,576	40,050	.....	4,810	774,988 00	1,473,187	8,839 12
Mariposa	<i>a</i>	202,450	378,071	2,300	13,250	589,691 00	1,185,762	7,114 50
Merced	<i>a</i>	54,204	87,140	.....	.....	670,377 00	811,721	4,870 32
Monterey	<i>a</i>	296,840	51,906	16,691	52,875	647,922 00	1,066,234	6,397 40
Napa	<i>a</i>	1,094,895	320,408	72,815	139,213	1,388,580 00	3,015,911	18,095 46
Nevada	<i>a</i>	.....	.....	.....	.....	.....	.....	.....
Placer	<i>a</i>	.....	.....	.....	.....	.....	3,037,946	18,227 67
Plumas	<i>a</i>	134,370	.....	.....	.....	1,199,238 00	2,226,236	13,357 41
Sacramento	<i>a</i>	1,050,731	782,235	3,240,671	2,075,651	4,936,256 00	1,333,608	8,001 63
.....	<i>a</i>	.....	.....	.....	.....	.....	12,053,245	72,319 48

[E]

STATEMENT OF BALANCES

In the different Funds, June 30, 1858.

General Fund.....	\$238,669 14
School Fund.....	23,074 06
Hospital Fund*.....	2,797 80
Military Fund.....	1,047 43
Library Fund.....	1,158 02
Interest and Sinking Fund of 1857 ...	720 61
Estates of Deceased Persons.....	3,208 38
Total.....	\$271,109 34

* Warrant of \$400 15, and Warrant of \$33 75, not presented for payment, therefore the State Treasurer's account of June 30, 1858, differs from that of the Controller of State, \$433 90.

[F] ESTIMATE OF RECEIPTS

For the Tenth Fiscal Year ending June 30, 1859.

Property-Tax	\$600,000 00
Poll-Tax	70,000 00
Foreign Miners' Licenses.....	100,000 00
Passenger Broker Licenses.....	20,000 00
State Licenses.....	70,000 00
Stamp-Tax	100,000 00
Military-Tax.....	1,000 00
Commutation-Tax.....	3,000 00
Swamp and Overflowed Lands.....	20,000 00
School Lands.....	60,000 00
Fees and Commissions from Office of Secretary of State...	3,000 00
Registration Fees.....	500 00
Total	<hr/> \$1,047,500 00

[G]

ESTIMATE OF EXPENDITURES

For the Tenth Fiscal Year, ending June 30, 1859.

For Salary of Governor	\$6,000 00
For Salary of Controller of State.....	3,777 77
For Salary of Treasurer of State.....	3,500 00
For Salary of Secretary of State	3,500 00
For Salary of Superintendent of Public Instruction	3,500 00
For Salary of Attorney-General.....	2,000 00
For Salary of Surveyor-General.....	2,000 00
For Salary of Quartermaster-General.....	2,000 00
For Salary of Justices of the Supreme Court	24,000 00
For Salary of District Judges.....	70,000 00
For Salary of Members of Board of Examiners	3,500 00
For Salary of Reporter of the Supreme Court	4,000 00
For Salary of Governor's Private Secretary	2,000 00
For Salary of Register of the Land Office	500 00
For Salary of Clerks in Controller's Office	9,600 00
For Salary of Clerks in Treasurer's Office.....	7,200 00
For Salary of Clerks in Secretary of State's Office.....	7,200 00
For Salary of Clerk in Land Office	1,200 00
For Salary of Clerk in Attorney-General's Office.....	1,000 00
For Salary of Clerk of Board of Examiners	1,200 00
For Per Diem and Mileage of Assemblymen	76,000 00
For Per Diem and Mileage of Lieutenant-Governor and Senators	35,000 00
For Pay of Officers and Attachés of Assembly.....	20,000 00
For Pay of Officers and Attachés of Senate.....	15,000 00
For Stationery, Fuel, Lights, etc., for Legislature.....	10,000 00
For Contingent Expenses of the Assembly	9,000 00
For Contingent Expenses of the Senate.....	5,000 00
For Contingent Expenses of the Supreme Court.....	3,000 00
For Contingent Expenses of the Governor's Office.....	900 00
For Contingent Expenses of the Controller's Office	2,500 00
For Contingent Expenses of the Treasurer's Office.....	3,000 00
For Contingent Expenses of the Secretary of State's Office...	1,200 00
For Contingent Expenses of the Superintendent of Public Instruction	1,500 00
For Contingent Expenses of the Surveyor-General.....	900 00
For Contingent Expenses of the Attorney-General.....	600 00
For Contingent Expenses of the Quartermaster-General	360 00
For Contingent Expenses of the State-Library.....	600 00
For Contingent Expenses of the Board of Examiners	500 00
For Contingent Expenses of the Land Office	700 00
For Special Contingents of Governor	5,000 00
For Rent of Supreme Court and State-Library Rooms.....	4,000 00
For Rent of State-House	12,000 00
For Rent of Attorney-General's Office	600 00
For Rent of Superintendent of Public Instruction's Office...	500 00
For Rent of Governor's Office	600 00
Carried forward.....	\$366,137 77

Brought forward	\$366,137 77
For Rent of Surveyor-General's Office	840 00
For Rent of Office and Armory of Quartermaster-General.....	1,200 00
For Salaries of Physicians to Insane Asylum	8,000 00
For Support of the Insane Asylum	60,000 00
For Support of the State-Prison.....	60,000 00
For Transportation of Prisoners	30,000 00
For Prosecution of Delinquents	3,000 00
For Costs of Suit where the State is a party.....	1,500 00
For Salary of Draughtsman to Surveyor-General.....	2,400 00
For Translating Laws in Spanish	1,500 00
For Indexing and Noting Laws and Journals	1,100 00
For Copying Laws for State Printer	500 00
For Pay to Experts for Examining Printing Accounts.....	600 00
For Expenses of Stamp Act	6,000 00
For Printing. Paper, and Official Advertisements	40,000 00
For Support of Common Schools	32,950 40
For Expressing for Controller's Office	1,500 00
For Expenses incurred by Counties in trying Escaped Convicts	2,000 00
For Postage of Secretary of State's Office.....	1,200 00
Total.....	\$620,428 17

II] WARRANTS.

Amount of Warrants issued from June 30, to December 15, 1858.

n General Fund.....	\$203,793 83
n Miscellaneous Funds.....	167,625 29
Total.....	\$371,419 12

[J]

STATEMENT,

Of the Receipts into the State Treasury, from the Sale of Stamped Paper, from the first day of July, 1857, to the fifteenth day of December, 1858, inclusive: together with the Expenses incurred in carrying out the Provisions of the Stamp Act, for the same period.

WHERE SOLD.	Bills of Exchange...	Bills of Lading.....	Policies of Insurance	Attorneys' Stamps...	Passenger Stamps.			TOTALS
					FIRST CLASS.	SECOND CLASS.	STORAGE.	
State Controller's Office.....	\$29,505 52	\$24,781 99	\$8,270 39	\$480 00	\$8,914 80	\$4,324 00	\$15,732 00	\$92,008 70
San Francisco County.....	13,795 06	20,103 28	6,680 38	.....	8,152 50	3,045 00	23,456 31	75,232 53
San Joaquin County.....	270 53	.....	.....	.....	.....	.....	.....	270 53
Yuba County.....	646 54	.....	.....	.....	.....	.....	.....	646 54
Totals.....	\$44,217 65	\$44,885 27	\$14,950 77	\$480 00	\$17,067 30	\$7,369 00	\$39,188 31	\$168,158 30

EXPENDITURES.

Amount Paid for Engraving Stamps.....	\$2,022 00
Amount Paid for Printing and Paper.....	581 50
Amount Paid for Salaries of Clerks.....	6,833 33
Amount Paid for Office Expenses, Books, etc.....	229 75
Amount Paid for Services of Detective, in San Francisco..	306 75
Total Amount Expended.....	\$10,023 33

RECAPITULATION.

Total Receipts.....	\$168,158 30
Total Expenditures.....	10,023 33
Net Revenue.....	\$158,134 97

COUNTIES.

TOTALS.

	Alameda	\$10,759 90
	Amador	10,813 40
	Butte	13,673 28
5	Calaveras ..	11,690 82
	Colusa	2,262 95
	Contra Costa	10,236 59
	Del Norte	1,176 54
	El Dorado	26,614 06
5	Fresno	3,411 40
	Humboldt	193 70
	Klamath	2,977 84
	Los Angeles	1,910 70
	Merced	555 57
	Marin	903 40
	Mariposa	660 43
	Monterey	3,976 06
	Napa	9,866 32
	Nevada	14,777 05
8	Placer	9,608 69
5	Plumas	40,870 48
5	Sacramento ..	1,071 79
	San Bernardino ..	540 94
	San Diego	18,256 60
	San Joaquin	598 55
5	San Luis Obispo	21,768 33
	Santa Clara	1,201 71
0	Santa Cruz	260 58
	Santa Barbara	6 257 00
	Shasta	

[J]

STATEMENT,

Of the Receipts into the State Treasury, from the Sale of Stamped Paper, from the first day of July, 1857, to the fifteenth day of December, 1858, inclusive: together with the Expenses incurred in carrying out the Provisions of the Stamp Act, for the same period.

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Totals.....	\$44,217 65	\$44,885 27	\$14,950 77	\$480 00	\$17,067 30	\$7,369 00	\$39,188 31	\$168,158 30

32

EXPENDITURES.

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Amount Paid for Printing and Paper.....	581 50
Amount Paid for Salaries of Clerks.....	6,833 33
Amount Paid for Office Expenses, Books, etc.....	229 75
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Total Amount Expended.....	\$10,023 33

RECAPITULATION.

Total Receipts.....	\$168,158 30
Total Expenditures.....	10,023 33
Net Revenue.....	\$158,134 97

RECEIPTS FROM JULY 1st TO DECEMBER 15th, 1888, INCLUSIVE.

COUNTIES.	TOTALS.	
	Property Tax of 1885.	Property Tax of 1886.
Alameda	\$10,750 90	\$10,813 40
Alameda	10,750 90	10,813 40
Alameda	10,750 90	10,813 40
Alameda	10,750 90	10,813 40
Alameda	10,750 90	10,813 40
Alameda	10,750 90	10,813 40
Alameda	10,750 90	10,813 40
Alameda	10,750 90	10,813 40
Alameda	10,750 90	10,813 40
Alameda	10,750 90	10,813 40
Alameda	10,750 90	10,813 40
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Alameda	10,750 90	10,813 40
Alameda	10,750 90	10,813 40
Alameda	10,750 90	10,813 40
Alameda	10,750 90	10,813 40
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* The discrepancy of \$7,726 99, between this Report and that of the State Treasurer, is caused by that amount having been paid into the State Treasury, by the Treasurer of Plumas County, on Account, January 10, 1888, and the settlement not having been made with the Controller's office, until the Tenth Fiscal Year.

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— T S S S Y T —

— 40 of 15

ANNUAL REPORT
OF
THE TREASURER OF STATE,
FOR
THE YEAR 1858.

~~~~~  
JOHN O'NEARA.....STATE-PRINTER.



# ANNUAL REPORT.

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STATE OF CALIFORNIA, TREASURY DEPARTMENT, }  
Sacramento, December 15, 1858.

To His Excellency,

JOHN B. WELLER,

*Governor of California :*

The undersigned, in performance of the duties of his office, respectfully presents the following report of the business of this Department from the 16th of December, 1857, to the 15th of December, 1858, inclusive.

The tables and statements annexed will exhibit, in detail, the receipts into the Treasury, and the expenditures of each of the separate Funds, and showing a balance in the State Treasury, at the above date, of \$522,170 26.

According to the provisions of an Act approved April 25, 1857, authorizing the Treasurer of State to issue Bonds for the payment of expenses incurred in the suppression of Indian hostilities in certain Counties in this State, Bonds have been issued to the amount of \$225,900 00. And according to the amendatory Act, approved March 30, 1858, Bonds have been issued to the amount of \$19,474 63. Total amount, \$245,374 63.

I have the honor to be

Your obedient servant,

THOMAS FINDLEY,

Treasurer of State.



# OPERATIONS OF THE STATE TREASURY

FROM

DEC'R 16, 1857, TO JUNE 30, 1858.

## MONTHLY RECEIPTS

*From December 16, 1857, to June 30, 1858, inclusive.*

|                                                       |              |
|-------------------------------------------------------|--------------|
| December 15, 1857, balance on hand, \$88,686 29.....  |              |
| From December 16, to December 31, 1857, received..... | \$313,534 34 |
| From January 1, to January 31, 1858, received.....    | 203,468 38   |
| From February 1, to February 28, 1858, received.....  | 37,689 34    |
| From March 1, to March 31, 1858, received.....        | 4,683 62     |
| From April 1, to April 30, 1858, received.....        | 139,665 82   |
| From May 1, to May 31, 1858, received.....            | 4,230 20     |
| From June 1, to June 30, 1858, received.....          | 13,091 02    |
| Total received.....                                   | \$716,362 72 |
| Old Balance, as above.....                            | 88,686 29    |
|                                                       | \$805,049 01 |

## MONTHLY RECEIPTS

*From July 1, 1858, to December 15, 1858, inclusive.*

|                                                             |                |
|-------------------------------------------------------------|----------------|
| June 30, 1858, Balance on hand, \$271,109 34.....           |                |
| From July 1, to July 31, 1858, received.....                | \$176,699 21   |
| From August 1, to August 31, 1858, received.....            | 23,504 86      |
| From September 1, to September 31, 1858, received.....      | 12,135 70      |
| From October 1, to October 31, 1858, received.....          | 188,786 21     |
| From November 1, to November 30, 1858, received.....        | 56,101 76      |
| From December 1, to December 15, 1858, received.....        | 36,104 64      |
| Total received.....                                         | \$493,332 38   |
| Old Balance, as above.....                                  | 271,109 34     |
|                                                             | \$764,441 72   |
| Received from Dec. 16, 1857, to June 30, 1858..\$716,362 72 |                |
| Received from July 1, 1858, to Dec. 15, 1858..\$493,332 38  |                |
|                                                             | \$1,209,695 10 |
| Balance on hand December 15, 1857.....                      | 88,686 29      |
|                                                             | \$1,298,381 39 |

## AND EXPENDITURES,

*From December 16, 1857, to June 30, 1858, inclusive.*

|                                                       |                    |
|-------------------------------------------------------|--------------------|
| From December 16, to December 31, 1857, expended..... | \$50,997 92        |
| From January 1. to January 31, 1858, expended.....    | 87,665 62          |
| From February 1, to February 28, 1858, expended.....  | 80,069 24          |
| From March 1, to March 31, 1858, expended.....        | 102,500 00         |
| From April 1, to April 30, 1858, expended.....        | 96,937 97          |
| From May 1, to May 31, 1858, expended.....            | 52,627 08          |
| From June 1, to June 30, 1858, expended.....          | 63,141 84          |
| Total expended.....                                   | \$533,939 67       |
| Balance on hand, June 30, 1858.....                   | 271,109 34         |
|                                                       | <hr/> \$805,049 01 |

## AND EXPENDITURES,

*From July 1, 1858, to December 15, 1858, inclusive.*

|                                                        |                      |
|--------------------------------------------------------|----------------------|
| From July 1, to July 31, 1858, expended.....           | \$70,545 96          |
| From August 1, to August 31, 1858, expended.....       | 48,394 17            |
| From September 1, to September 30, 1858, expended..... | 32,104 15            |
| From October 1, to October 31, 1858, expended.....     | 46,295 17            |
| From November 1, to November 30, 1858, expended.....   | 35,633 41            |
| From December 1, to December 15, 1858, expended.....   | 9,298 60             |
| Total expended.....                                    | \$242,271 46         |
| Balance on hand, December 15, 1858.....                | 522,170 26           |
|                                                        | <hr/> \$764,441 72   |
| Expended from Dec. 16, 1857, to June 30, 1858..        | \$533,939 67         |
| Expended from July 1, 1858, to Dec. 15, 1858..         | 242,271 46           |
|                                                        | <hr/> \$776,211 13   |
| Balance on hand, December 15, 1858.....                | 522,170 26           |
|                                                        | <hr/> \$1,298,381 39 |









## FROM WHOM RECEIVED

DATE

TOTAL

1857

Dec

Dec 30, 57

TOTAL

|    |                                                   |             |             |            |          |          |             |
|----|---------------------------------------------------|-------------|-------------|------------|----------|----------|-------------|
| 10 | Amount on hand, see S. Texas R. ending Dec 30, 57 | \$10,560 00 | \$12,258 75 | \$8,053 71 | \$825 31 | \$100 00 | \$39,647 76 |
| 11 | Treasurer of Vander County                        | 160 00      |             |            |          |          | 160 00      |
| 12 | P. R. Hastings & Co., for Stamps                  | 5 00        |             |            |          |          | 5 00        |
| 13 | P. R. Hastings & Co., for Stamps                  | 22,971 81   | 70 00       |            |          |          | 23,041 81   |
| 14 | Treasurer of San Joaquin County                   | 51,326 81   | 163 22      |            |          |          | 51,490 03   |
| 15 | Treasurer of Santa Clara County                   | 3,097 60    | 8 25        |            |          |          | 3,105 85    |
| 16 | Treasurer of San Francisco County                 | 11,143 21   | 5 57        |            |          |          | 11,148 78   |
| 17 | Treasurer of Colusa County                        | 12,255 41   | 261 24      |            |          |          | 12,516 65   |
| 18 | Treasurer of Yuba County                          | 2,904 01    | 4 25        |            |          |          | 2,908 26    |
| 19 | Treasurer of Colusa County                        | 5,175 96    | 1 10        |            |          |          | 5,177 06    |
| 20 | Treasurer of Nevada County                        | 13,140 48   | 113 05      |            |          |          | 13,253 53   |
| 21 | Falkner, Bell & Co., for Stamps                   | 9,255 29    |             |            |          |          | 9,255 29    |
| 22 | D. F. Douglas, Secretary of State                 | 10,340 73   | 8 31        |            |          |          | 10,421 73   |
| 23 | Treasurer of Solano County                        | 1,763 51    | 17 11       | 115 91     |          |          | 1,996 52    |
| 24 | Treasurer of Colusa County                        | 20,091 87   | 218 61      | 101 65     |          |          | 20,412 08   |
| 25 | Treasurer of Trinity County                       | 10,002 63   | 86 25       |            |          |          | 10,088 88   |
| 26 | Wells, Fargo & Co., for Stamps                    | 276 00      |             |            |          |          | 276 00      |
| 27 | Treasurer of Tulare County                        | 17,454 08   | 2 50        |            |          |          | 17,456 58   |
| 28 | D. O. Mills & Co., for Stamps                     | 118 12      |             |            |          |          | 118 12      |
| 29 | Treasurer of Los Angeles County                   | 13,714 65   | 91 80       |            |          |          | 13,806 45   |
| 30 | Treasurer of Santa Clara County                   | 12,158 05   | 118 48      |            |          |          | 12,276 53   |
| 31 | Treasurer of Merced County                        | 7,594 71    | 23 18       |            |          |          | 7,617 89    |
| 1  | Treasurer of Merced County                        | 11,812 41   | 212 00      | 107 81     |          |          | 12,132 21   |
| 2  | Treasurer of Butte County                         | 1,068 13    | 58 50       | 50 07      |          |          | 1,216 69    |
| 3  | Frederic E. Spencer, for Stamps                   | 39,798 80   | 1,179 04    | 11 30      |          |          | 40,988 94   |
| 4  | Clark & Y. Co., for Stamps                        | 554 00      |             |            |          |          | 554 00      |
| 5  | Treasurer of Tehama County                        | 9,571 10    | 87 40       |            |          |          | 9,658 50    |
| 6  | Treasurer of Butte County                         | 3,368 10    | 80 00       |            |          |          | 3,448 10    |
| 7  | Treasurer of Butte County                         | 24,146 24   | 232 40      |            |          |          | 24,378 64   |
| 8  | Treasurer of Yuba County                          | 7,133 61    | 68 70       | 397 30     |          |          | 7,599 57    |
| 9  | R. C. Woodhead & Co., for Stamps                  | 4,884 00    |             |            |          |          | 4,884 00    |
| 10 | J. Van Clief, for Stamps                          | 10 00       |             |            |          |          | 10 00       |
| 11 | Falkner, Bell & Co., for Stamps                   | 564 88      |             |            |          |          | 564 88      |
| 12 | Wells, Fargo & Co., for Stamps                    | 342 85      |             |            |          |          | 342 85      |
| 13 | Wells, Fargo & Co., for Stamps                    | 10 00       |             |            |          |          | 10 00       |
| 14 | B. Davidson, for Stamps                           | 305 10      |             |            |          |          | 305 10      |
| 15 | Commissioner of Emigrants                         | 57 84       |             |            |          |          | 57 84       |
| 16 | P. F. Hastings & Co., for Stamps                  | 8,325 35    | 60 17       |            |          |          | 8,385 52    |
| 17 | Treasurer of Monterey County                      | 4,828 56    | 103 50      |            |          |          | 4,932 06    |
| 18 | Treasurer of Fresno County                        | 4,964 71    | 50 20       |            |          |          | 5,014 91    |
| 19 | Treasurer of Stanislaus County                    | 3,141 73    | 203 36      |            |          |          | 3,345 09    |
| 20 | Treasurer of Santa Barbara County                 | 6,025 00    |             |            |          |          | 6,025 00    |
| 21 | Lady Adams Co., for Stamps                        | 71 62       |             |            |          |          | 71 62       |
| 22 | Wells, Fargo & Co., for Stamps                    | 10 00       |             |            |          |          | 10 00       |
| 23 | John R. Sweeney, for Stamps                       | 10 00       |             |            |          |          | 10 00       |
| 24 | Wm. W. Search, for Stamps                         | 10 00       |             |            |          |          | 10 00       |
| 25 | D. O. Mills & Co., for Stamps                     | 117 20      |             |            |          |          | 117 20      |
| 26 | Wells, Fargo & Co., for Stamps                    | 73 60       |             |            |          |          | 73 60       |
| 27 | Jonathan Hunt, for Stamps                         | 52 00       |             |            |          |          | 52 00       |
| 28 | Treasurer of Plumas County                        | 7,420 00    |             |            |          |          | 7,420 00    |
| 29 | W. T. Wilkins, for Stamps                         | 10 00       |             |            |          |          | 10 00       |
| 30 | Wells, Fargo & Co., for Stamps                    | 276 00      |             |            |          |          | 276 00      |
| 31 | B. Davidson, for Stamps                           | 278 75      |             |            |          |          | 278 75      |
| 1  | F. R. Hilly, for Stamps                           | 644 00      |             |            |          |          | 644 00      |
| 2  | Treasurer of Humboldt County                      | 6,497 05    | 100 25      |            |          |          | 6,597 30    |
| 3  | Treasurer of Sacramento County                    | 32 00       |             |            |          |          | 32 00       |
| 4  | D. O. Mills & Co., for Stamps                     | 10 00       |             |            |          |          | 10 00       |
| 5  | G. L. Muehl, for Stamps                           | 10 00       |             |            |          |          | 10 00       |
| 6  | Treasurer of City and County San Francisco        | 33,579 60   |             |            |          |          | 33,579 60   |
| 7  | Wells, Fargo & Co., for Stamps                    | 10 00       |             |            |          |          | 10 00       |
| 8  | Wells, Fargo & Co., for Stamps                    | 25 00       |             |            |          |          | 25 00       |
| 9  | J. P. Haver & Co., for Stamps                     | 368 00      |             |            |          |          | 368 00      |
| 10 | B. Davidson, for Stamps                           | 32 00       |             |            |          |          | 32 00       |
| 11 | Hunt, for Stamps                                  | 535 60      |             |            |          |          | 535 60      |
| 12 | F. R. Hilly, for Stamps                           | 5 00        |             |            |          |          | 5 00        |
| 13 | Commissioner of Emigrants                         | 10 00       |             |            |          |          | 10 00       |
| 14 | Wells, Fargo & Co., for Stamps                    | 97 53       |             |            |          |          | 97 53       |
| 15 | A. H. Clark, for Stamps                           | 10 00       |             |            |          |          | 10 00       |
| 16 | D. O. Mills & Co., for Stamps                     | 77 25       |             |            |          |          | 77 25       |
| 17 | B. Davidson, for Stamps                           | 297 95      |             |            |          |          | 297 95      |
| 18 | F. R. Hilly, for Stamps                           | 104 52      |             |            |          |          | 104 52      |
| 19 | Wells, Fargo & Co., for Stamps                    | 184 00      |             |            |          |          | 184 00      |
| 20 | Nevada Steamship Co., for Stamps                  | 920 00      |             |            |          |          | 920 00      |
| 21 | F. R. Hilly, for Stamps                           | 167 16      |             |            |          |          | 167 16      |
| 22 | B. Davidson, for Stamps                           | 200 50      |             |            |          |          | 200 50      |
| 23 | F. R. Hilly, for Stamps                           | 51 71       |             |            |          |          | 51 71       |
| 24 | Commissioner of Emigrants                         | 460 00      |             |            |          |          | 460 00      |
| 25 | Wells, Fargo & Co., for Stamps                    | 46 00       |             |            |          |          | 46 00       |
| 26 | B. Davidson, for Stamps                           | 233 68      |             |            |          |          | 233 68      |
| 27 | B. Davidson, for Stamps                           | 252 30      |             |            |          |          | 252 30      |
| 28 | F. R. Hilly, for Stamps                           | 828 00      |             |            |          |          | 828 00      |
| 29 | B. Davidson, for Stamps                           | 156 88      |             |            |          |          | 156 88      |
| 30 | Treasurer of Sacramento County                    | 13,461 54   | 18 00       |            |          |          | 13,479 54   |
| 31 | P. F. Hastings & Co., for Stamps                  | 67 00       |             |            |          |          | 67 00       |
| 1  | D. O. Mills & Co., for Stamps                     | 130 51      |             |            |          |          | 130 51      |
| 2  | B. Davidson, for Stamps                           | 455 40      |             |            |          |          | 455 40      |
| 3  | H. W. Ayres, for Stamps                           | 10 00       |             |            |          |          | 10 00       |
| 4  | J. P. Vaughn, for Stamps                          | 1,840 00    |             |            |          |          | 1,840 00    |
| 5  | F. R. Hilly, for Stamps                           | 6,519 02    | 310 94      |            |          |          | 6,829 96    |
| 6  | Treasurer of Colusa County                        | 47 84       |             |            |          |          | 47 84       |
| 7  | Wells, Fargo & Co., for Stamps                    | 205 01      |             |            |          |          | 205 01      |
| 8  | Agent California Land Commissioners               | 58 92       |             |            |          |          | 58 92       |
| 9  | B. Davidson, for Stamps                           | 104 61      |             |            |          |          | 104 61      |
| 10 | Tullant & Wilde, for Stamps                       | 72 68       |             |            |          |          | 72 68       |
| 11 | Morris Sperry, for Stamps                         | 8,465 15    |             |            |          |          | 8,465 15    |
| 12 | B. Davidson, for Stamps                           | 289 81      |             |            |          |          | 289 81      |
| 13 | Treasurer of Stanislaus County                    | 3,570 82    | 7 61        |            |          |          | 3,578 43    |
| 14 | Treasurer of Contra Costa County                  | 3,010 54    | 3 36        |            |          |          | 3,013 90    |
| 15 | F. R. Hilly, for Stamps                           | 1,030 00    |             |            |          |          | 1,030 00    |
| 16 | E. R. Davidson, for Stamps                        | 8,465 15    |             |            |          |          | 8,465 15    |
| 17 | Wells, Fargo & Co., for Stamps                    | 5,250 01    |             |            |          |          | 5,250 01    |
| 18 | Seigniorial Arms of Assembly                      | 35 21       |             |            |          |          | 35 21       |
| 19 | Treasurer of San Joaquin County                   | 35,148 62   | 638 37      |            |          |          | 35,787 00   |
| 20 | Treasurer of Yuba County                          | 3,841 66    | 3 35        |            |          |          | 3,845 01    |
| 21 | Treasurer of Tulare County                        | 4,971 78    | 129 10      |            |          |          | 5,100 88    |
| 22 | Treasurer of San Luis Obispo County               | 21,160 05   | 41 28       |            |          |          | 21,201 33   |
| 23 | Tullant & Wilde, for Stamps                       | 126 04      |             |            |          |          | 126 04      |
| 24 | D. O. Mills & Co., for Stamps                     | 4,051 80    |             |            |          |          | 4,051 80    |
| 25 | A. K. Ginn, for Stamps                            | 414 00      |             |            |          |          | 414 00      |
| 26 | B. Davidson, for Stamps                           | 1,101 60    |             |            |          |          | 1,101 60    |
| 27 | Falkner, Bell & Co., for Stamps                   | 1,101 60    |             |            |          |          | 1,101 60    |
| 28 | B. Davidson, for Stamps                           | 1,101 60    |             |            |          |          | 1,101 60    |
| 29 | B. Davidson, for Stamps                           | 1,101 60    |             |            |          |          | 1,101 60    |
| 30 | B. Davidson, for Stamps                           | 1,101 60    |             |            |          |          | 1,101 60    |
| 31 | B. Davidson, for Stamps                           | 1,101 60    |             |            |          |          | 1,101 60    |
| 1  | B. Davidson, for Stamps                           | 1,101 60    |             |            |          |          | 1,101 60    |
| 2  | B. Davidson, for Stamps                           | 1,101 60    |             |            |          |          | 1,101 60    |
| 3  | B. Davidson, for Stamps                           | 1,101 60    |             |            |          |          | 1,101 60    |
| 4  | B. Davidson, for Stamps                           | 1,101 60    |             |            |          |          | 1,101 60    |
| 5  | B. Davidson, for Stamps                           | 1,101 60    |             |            |          |          | 1,101 60    |
| 6  | B. Davidson, for Stamps                           | 1,101 60    |             |            |          |          | 1,101 60    |
| 7  | B. Davidson, for Stamps                           | 1,101 60    |             |            |          |          | 1,101 60    |
| 8  | B. Davidson, for Stamps                           | 1,101 60    |             |            |          |          | 1,101 60    |
| 9  | B. Davidson, for Stamps                           | 1,101 60    |             |            |          |          | 1,101 60    |
| 10 | B. Davidson, for Stamps                           | 1,101 60    |             |            |          |          | 1,101 60    |
| 11 | B. Davidson, for Stamps                           | 1,101 60    |             |            |          |          | 1,101 60    |
| 12 | B. Davidson, for Stamps                           | 1,101 60    |             |            |          |          | 1,101 60    |
| 13 | B. Davidson, for Stamps                           | 1,101 60    |             |            |          |          | 1,101 60    |
| 14 | B. Davidson, for Stamps                           | 1,101 60    |             |            |          |          | 1,101 60    |
| 15 | B. Davidson, for Stamps                           | 1,101 60    |             |            |          |          | 1,101 60    |
| 16 | B. Davidson, for Stamps                           | 1,101 60    |             |            |          |          | 1,101 60    |
| 17 | B. Davidson, for Stamps                           | 1,101 60    |             |            |          |          | 1,101 60    |
| 18 | B. Davidson, for Stamps                           | 1,101 60    |             |            |          |          | 1,101 60    |
| 19 | B. Davidson, for Stamps                           | 1,101 60    |             |            |          |          | 1,101 60    |
| 20 | B. Davidson, for Stamps                           | 1,101 60    |             |            |          |          | 1,101 60    |
| 21 | B. Davidson, for Stamps                           | 1,101 60    |             |            |          |          | 1,101 60    |
| 22 | B. Davidson, for Stamps                           | 1,101 60    |             |            |          |          | 1,101 60    |
| 23 | B. Davidson, for Stamps                           | 1,101 60    |             |            |          |          | 1,101 60    |
| 24 | B. Davidson, for Stamps                           | 1,101 60    |             |            |          |          | 1,101 60    |
| 25 | B. Davidson, for Stamps                           | 1,101 60    |             |            |          |          | 1,101 60    |
| 26 | B. Davidson, for Stamps                           | 1,101 60    |             |            |          |          | 1,101 60    |
| 27 | B. Davidson, for Stamps                           | 1,101 60    |             |            |          |          | 1,101 60    |
| 28 | B. Davidson, for Stamps                           | 1,101 60    |             |            |          |          | 1,101 60    |
| 29 | B. Davidson, for Stamps                           | 1,101 60    |             |            |          |          | 1,101 60    |
| 30 | B. Davidson, for Stamps                           | 1,101 60    |             |            |          |          | 1,101 60    |
| 31 | B. Davidson, for Stamps                           | 1,101 60    |             |            |          |          | 1,101 60    |
| 1  | B. Davidson, for Stamps                           | 1,101 60    |             |            |          |          | 1,101 60    |
| 2  | B. Davidson, for Stamps                           | 1,101 60    |             |            |          |          | 1,101 60    |
| 3  | B. Davidson, for Stamps                           | 1,101 60    |             |            |          |          | 1,101 60    |
| 4  | B. Davidson, for Stamps                           | 1,101 60    |             |            |          |          | 1,101 60    |
| 5  | B. Davidson, for Stamps                           | 1,101 60    |             |            |          |          | 1,101 60    |
| 6  | B. Davidson, for Stamps                           | 1,101 60    |             |            |          |          | 1,101 60    |
| 7  | B. Davidson, for Stamps                           | 1,101 60    |             |            |          |          | 1,101 60    |
| 8  | B. Davidson, for Stamps                           | 1,101 60    |             |            |          |          | 1,101 60    |
| 9  | B. Davidson, for Stamps                           | 1,101 60    |             |            |          |          | 1,101 60    |





DR.

## GENERAL FUND.

|            |                                                                                                                                                                          |              |                     |
|------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------|---------------------|
| 1857 & '58 | To Cash paid by James L. English, State Treasurer, for the redemption of Warrants drawn on this Fund from Dec. 16, 1857, to January 6, 1858, inclusive.....              | \$50,903 41  |                     |
| 1858.....  | To Cash paid by Thomas Findley, State Treasurer, for the redemption of Warrants drawn on this Fund from January 8, 1858, to June 30, 1858, inclusive .....               | \$443,727 15 |                     |
| 1857.      |                                                                                                                                                                          |              | \$494,630 56        |
| Dec. 16..  | Transferred to School Fund, per Controller's order                                                                                                                       |              | 16,475 20           |
| 1858.      |                                                                                                                                                                          |              |                     |
| Jan. 27... | Transferred to School Fund, per Controller's order,                                                                                                                      |              | 82 50               |
| Jan. 27... | Transferred to Military Fund, per Controller's order .....                                                                                                               |              | 31 04               |
| March 1.   | Transferred to Library Fund, for 115 Members of the Legislature at \$5 each, per Controller's order                                                                      |              | 575 00              |
| March 5.   | Loss sustained by converting Gold Dust received from Treasurer of Tulare County into coin, at the United States Branch Mint, San Francisco, per Controller's order ..... |              | 312 40              |
| March 9.   | Transferred to School Fund, per Controller's order,                                                                                                                      |              | 344 20              |
| March 9.   | Transferred to Military Fund, per Controller's order.....                                                                                                                |              | 257 10              |
| April 22.  | Transferred to Interest and Sinking Fund of 1857, per Controller's order.....                                                                                            |              | 671 26              |
| June 23..  | Transferred to School Fund, per Controller's order,                                                                                                                      |              | 16,475 20           |
|            | Balance in this Fund, June 30, 1858.....                                                                                                                                 |              | 238,669 14          |
|            |                                                                                                                                                                          |              | <u>\$768,523 60</u> |





Dr.

## HOSPITAL FUND.

|            |                                                                                                                                                                  |            |                  |
|------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|------------------|
| 1857 & '58 | To Cash paid by James L. English, State Treasurer, for the redemption of Warrants drawn on this Fund, from December 16, 1857, to January 6, 1858, inclusive..... | \$5,037 27 |                  |
| 1858.....  | To Cash paid by Thomas Findley, State Treasurer, for the redemption of Warrants drawn on this Fund, from Jan. 8, 1858, to June 30, 1858, inclusive.....          | \$2,848 77 | \$7,886 04       |
|            | Balance in this Fund, June 30, 1858 .....                                                                                                                        |            | 3,231 70         |
|            |                                                                                                                                                                  |            | <u>11,117 74</u> |

Dr.

## SCHOOL FUND.

|            |                                                                                                                                                                   |             |                    |
|------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|--------------------|
| 1857 & '58 | To cash paid by James L. English, State Treasurer, for the redemption of Warrants drawn on this Fund, from December 16, 1858, to January 6, 1858, inclusive ..... | \$10,561 20 |                    |
| 1858 ..... | To cash paid by Thomas Findley, State Treasurer, for the redemption of Warrants drawn on this Fund, from January 8, 1858, to June 30, 1858, inclusive .....       | 19,356 95   | \$29,918 15        |
| 1858.      |                                                                                                                                                                   |             |                    |
| Jan. 5...  | Transferred to Military Fund, per Controller's order .....                                                                                                        |             | 3 80               |
|            | Balance in this Fund, June 30, 1858.....                                                                                                                          |             | 23,074 00          |
|            |                                                                                                                                                                   |             | <u>\$52,996 00</u> |

## HOSPITAL FUND.

CR.

|          |                                                                                                                                                      |            |                    |
|----------|------------------------------------------------------------------------------------------------------------------------------------------------------|------------|--------------------|
| 357..... | By Balance in this Fund, December 15, 1857. (See Tabular Statement).....                                                                             | \$8,603 74 |                    |
| 358..... | By Cash received by Thomas Findley, State Treasurer, into this Fund from January 8, 1858, to June 30, 1858, inclusive. (See Tabular Statement.)..... | \$2,514 00 | \$11,117 74        |
|          |                                                                                                                                                      |            | <u>\$11,117 74</u> |
|          | Balance, June 30, 1858 .....                                                                                                                         |            | <u>\$3,231 70</u>  |

## SCHOOL FUND.

CR.

|            |                                                                                                                                                              |             |                    |
|------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|--------------------|
| 857 .....  | By Balance in this Fund, December 15, 1857. (See Tabular Statement).....                                                                                     | \$12,208 75 |                    |
| 857 & '58  | By Cash received by James L. English, State Treasurer, into this Fund, from December 16, 1857, to January 6, 1858, inclusive. (See Tabular Statement,) ..... | 3,500 16    |                    |
| 858.....   | By Cash received by Thomas Findley, State Treasurer, into this Fund, from January 8, 1858, to June 30, 1858, inclusive. (See Tabular Statement.) .....       | 3,910 07    | \$19,618 98        |
| 1857.      |                                                                                                                                                              |             |                    |
| Dec. 16..  | Transferred from General Fund, per Controller's order .....                                                                                                  |             | 16,475 20          |
| 1858.      |                                                                                                                                                              |             |                    |
| Jan. 27 .. | Transferred from General Fund, per Controller's order .....                                                                                                  |             | 82 50              |
| Mar. 9...  | Transferred from General Fund, per Controller's order .....                                                                                                  |             | 344 20             |
| June 23..  | Transferred from General Fund, per Controller's order .....                                                                                                  |             | 16,475 20          |
|            |                                                                                                                                                              |             | <u>\$52,996 08</u> |
|            | Balance, June 30, 1858 . .....                                                                                                                               |             | <u>\$23,074 06</u> |



## MILITARY FUND.

Cr.

|            |                                                                                                                                                            |          |                   |
|------------|------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|-------------------|
| 1857 ..... | By Balance in this Fund, December 15, 1857. (See Tabular Statement.).....                                                                                  | \$826 31 |                   |
| 1857 & '58 | By Cash received by James L. English, State Treasurer, into this Fund, from December 16, 1857, to January 6, 1858, inclusive. (See Tabular Statement)..... | 456 24   |                   |
| 1858 ..... | By Cash received by Thomas Findley, State Treasurer, into this Fund, from January 8, 1858, to June 30, 1858, inclusive. (See Tabular Statement.).....      | 818 35   |                   |
| 1858       |                                                                                                                                                            |          | \$2,100 90        |
| Jan. 5 ... | Transferred from School Fund, per Controller's order.....                                                                                                  |          | 3 87              |
| Jan. 27... | Transferred from General Fund, per Controller's order .....                                                                                                |          | 31 04             |
| Mar. 9...  | Transferred from General Fund, per Controller's order .....                                                                                                |          | 257 10            |
|            |                                                                                                                                                            |          | <u>\$2,392 91</u> |
|            | Balance, June 30, 1858 .....                                                                                                                               |          | <u>\$1,047 43</u> |

## LIBRARY FUND.

Cr.

|            |                                                                                                                                                              |          |                   |
|------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|-------------------|
| 1857.....  | By Balance in this Fund, December 15, 1857. (See Tabular Statement.).....                                                                                    | \$336 06 |                   |
| 1857 & '58 | By Cash received by James L. English, State Treasurer, into this Fund, from December 16th, 1857, to January 6, 1858, inclusive. (See Tabular Statement.).... | 650 00   |                   |
| 1858.      |                                                                                                                                                              |          | \$986 06          |
| March 1..  | Transferred from General Fund, for one hundred and fifteen Members of the Legislature, at five dollars each, per Controller's order.....                     |          | 575 00            |
|            |                                                                                                                                                              |          | <u>\$1,561 06</u> |
|            | Balance, June 30, 1858.....                                                                                                                                  |          | <u>\$1,158 02</u> |





## INTEREST AND SINKING FUND OF 1857.

CR.

|                    |                                                                                                                                                                   |         |                        |
|--------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------|------------------------|
| 1858.....          | By Cash, received by Thomas Findley,<br>State Treasurer, into this Fund, from<br>January 8, 1858, to June 30, 1858, inclu-<br>sive. (See Tabular Statement.)..... | \$49 35 |                        |
| 1858.<br>April 22. | Transferred from General Fund, per Con-<br>troller's order.....                                                                                                   |         | \$49 35                |
|                    |                                                                                                                                                                   |         | 671 26                 |
|                    |                                                                                                                                                                   |         | <u>\$720 61</u>        |
|                    | Balance, June 30, 1858.....                                                                                                                                       |         | <u><u>\$720 61</u></u> |

## ESTATES OF DECEASED PERSONS.

CR.

|           |                                                                              |         |                       |
|-----------|------------------------------------------------------------------------------|---------|-----------------------|
| 1857..... | By Balance in this Fund, December 15,<br>1857. (See Tabular Statement.)..... | \$89 09 |                       |
|           |                                                                              |         | \$89 09               |
|           |                                                                              |         | <u>\$89 09</u>        |
|           | Balance, June 30, 1858.....                                                  |         | <u><u>\$89 09</u></u> |

## HIRAM SMITH, JR.

CR.

*(Absent heir of H. Smith, deceased.)*

|           |                                                                            |            |                          |
|-----------|----------------------------------------------------------------------------|------------|--------------------------|
| 1857..... | By Balance in this Fund, Dec. 15th, 1857,<br>(See Tabular Statement.)..... | \$3,119 29 | \$3,119 29               |
|           |                                                                            |            | <u>\$3,119 29</u>        |
|           | Balance, June 30th, 1858.....                                              |            | <u><u>\$3,119 29</u></u> |

## BALANCES,

*In the following Funds, June 30, 1858.*

|                                                          |              |
|----------------------------------------------------------|--------------|
| General Fund.....                                        | \$238,669 14 |
| Hospital Fund.....                                       | 3,231 70     |
| School Fund.....                                         | 23,074 06    |
| Military Fund.....                                       | 1,047 43     |
| Library Fund.....                                        | 1,158 02     |
| Interest and Sinking Fund of 1857.....                   | 720 61       |
| Estates of Deceased Persons.....                         | 89 09        |
| Hiram Smith, Jr., absent Heir of H. Smith, deceased..... | 3,119 29     |
|                                                          | <hr/>        |
|                                                          | \$271,109 34 |
| Cash on hand, June 30th, 1858.....                       | \$271,109 34 |

## COPIES OF CONTROLLER'S ORDERS,

*To Transfer Funds.*

CONTROLLER'S OFFICE,  
Sacramento, Dec. 16, 1857. }

The Treasurer of State will please transfer from the General Fund to the School Fund sixteen thousand four hundred and seventy-five dollars and twenty cents, (\$16,475 20) that being the amount due the School Fund from the General Fund.

G. W. WHITMAN,  
Controller of State.

CONTROLLER'S OFFICE,  
Sacramento, January 5, 1858. }

The Treasurer of State will please transfer from the School to the Military Fund three dollars and eighty-seven cents, (\$3 87) the same being a mistake in making out the order in the last settlement of the Treasurer of the County and City of San Francisco.

G. W. WHITMAN,  
Controller of State.

OFFICE OF CONTROLLER OF STATE,  
Sacramento, January 27, 1858. }

The Treasurer of State will please transfer from the General Fund to the School Fund eighty-two dollars and fifty cents, (\$82 50) and from the General Fund to the Military Fund thirty-one dollars and four cents. (\$31 04.) The above is necessary to the proper distribution of the monies recently paid into the Treasury, on account, by the Treasurer of Santa Barbara County.

G. W. WHITMAN,  
Controller of State.

OFFICE OF CONTROLLER OF STATE,  
Sacramento, March 1, 1858. }

Hon, Thomas Findley, Treasurer of State:

I hereby certify that I have retained, out of the per diem of each member of the Senate, and Assembly, the sum of five dollars, (\$5) making in

all the sum of five hundred and seventy-five dollars, (\$575) which you will please transfer from the General Fund to the Library Fund. (See Wood's Digest, page 536, article 2793, section 2.)

G. W. WHITMAN,  
Controller of State.

CONTROLLER'S OFFICE,  
Sacramento, March 5, 1858. }

The Treasurer of State will please charge the General Fund with the sum of three hundred and twelve dollars and forty cents, (\$312 40) being the amount of loss on gold-dust received from W. G. Russell, Treasurer of Tulare County, as per Mint Certificate.

G. W. WHITMAN,  
Controller of State.

OFFICE OF CONTROLLER OF STATE,  
Sacramento, March 9, 1858. }

*Hon. Thomas Findley, Treasurer of State:*

SIR:—You will please transfer from the General Fund to the School Fund the sum of three hundred and forty-four dollars and twenty cents, (\$344 20) and from the General Fund to the Military Fund the sum of two hundred and fifty-seven dollars and ten cents, (257 10) on account of moneys paid into the General Fund by Klamath County, on orders No. 224 and 288.

Very respectfully,

G. W. WHITMAN,  
Controller of State.

OFFICE OF CONTROLLER OF STATE,  
Sacramento, April 22, 1858. }

*Hon. Thomas Findley, Treasurer of State:*

SIR:—You will please transfer from the Military to the General Fund the sum of five hundred and fifty-six dollars, (\$556) being part of the amount of Warrant No. 4350, dated April 1, 1858, for six hundred and eighty-four dollars, (\$684) which was paid for printing Military Tax Receipts, and improperly drawn on the General Fund.

Very respectfully, your obedient servant,

G. W. WHITMAN,  
State Controller.

OFFICE OF CONTROLLER OF STATE, }  
 Sacramento, April 22d, 1858. }

*Hon. Thomas Findley, Treasurer of State :*

SIR:—You will please transfer from the General Fund to the Interest and Sinking Fund of 1857, the sum of six hundred and seventy-one dollars and twenty-six cents, (\$671 26) being the amount due Interest and Sinking Fund, on settlement of the counties of El Dorado and Tulare, as per your receipts Nos. 326 and 327.

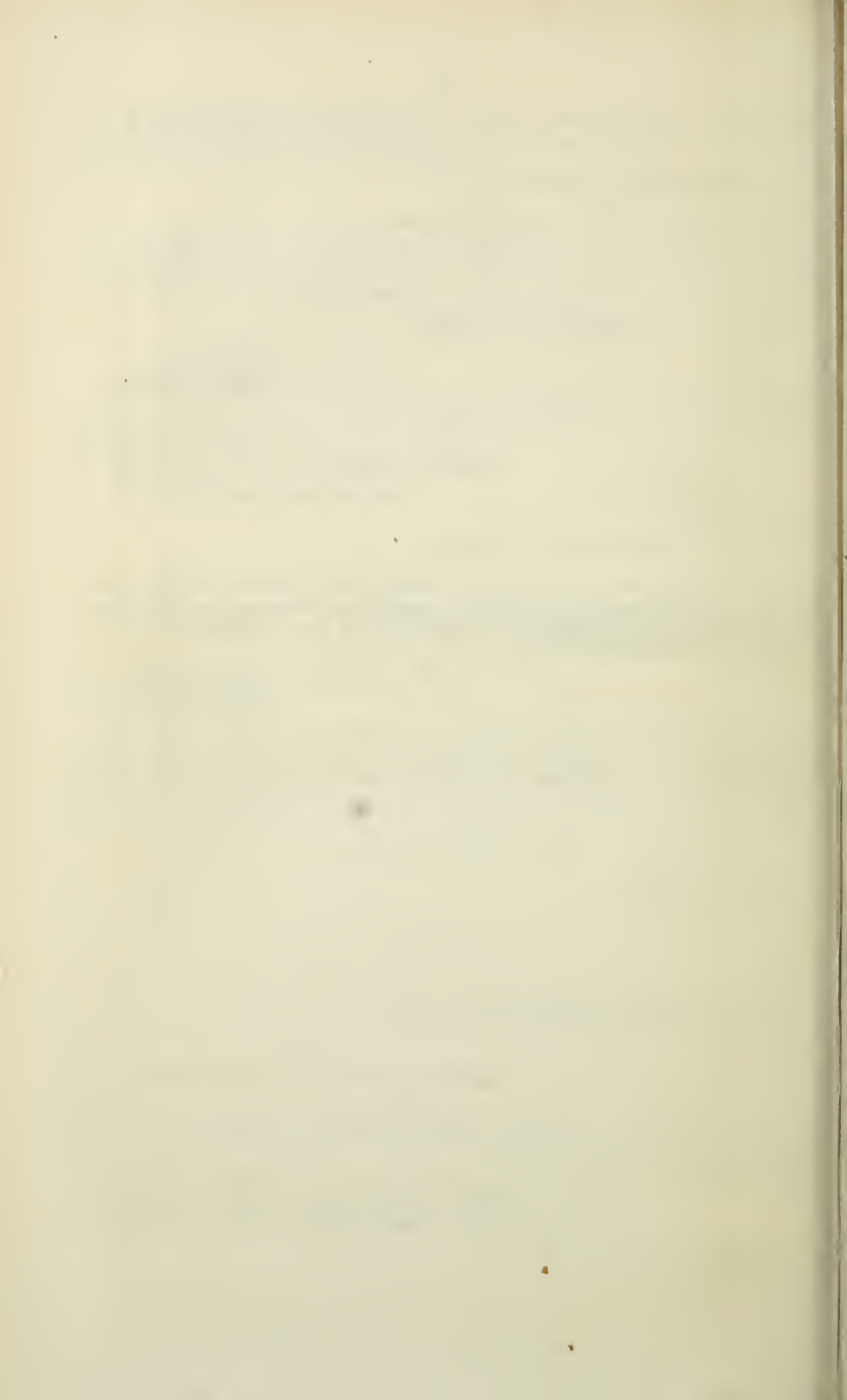
Very respectfully, your obedient servant,  
 G. W. WHITMAN,  
 State Controller.

OFFICE OF CONTROLLER OF STATE, }  
 Sacramento, June 23, 1858. }

*Hon. Thomas Findley, State Treasurer :*

SIR:—You will please transfer from the General Fund to the School Fund sixteen thousand four hundred and seventy-five dollars and twenty cents, (\$16,475 20) being one-half of the appropriation for "interest" accruing on moneys received from sales of School Lands.

G. W. WHITMAN,  
 State Controller.

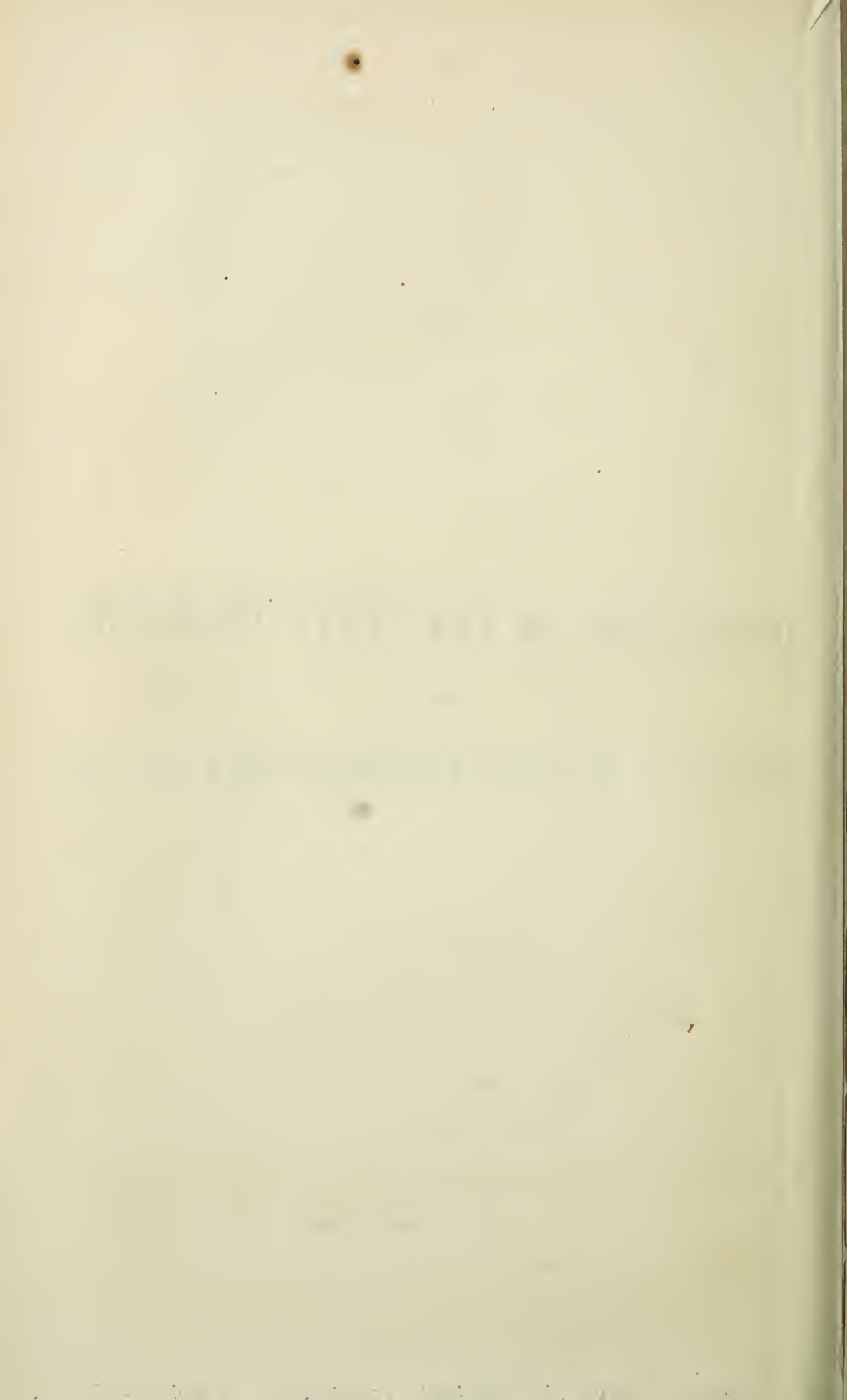




OPERATIONS OF THE STATE TREASURY

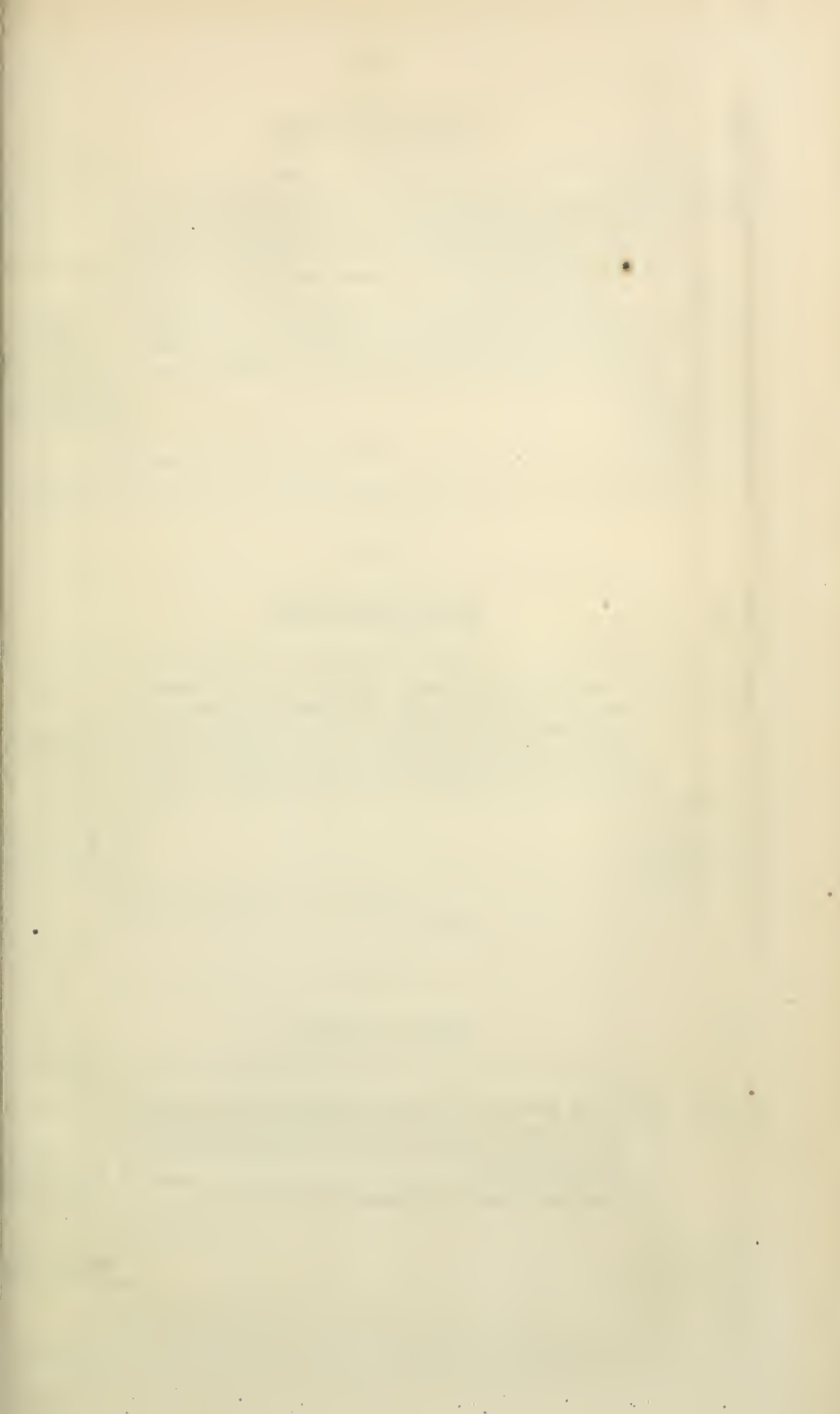
FROM

JULY 1, '58, TO DECEMBER 15, '58.



|       |       |       |       |       |        |
|-------|-------|-------|-------|-------|--------|
| ..... | ..... | ..... | ..... | ..... | 920 00 |
| ..... | ..... | ..... | ..... | ..... | 53 59  |
| ..... | ..... | ..... | ..... | ..... | 10 00  |
| ..... | ..... | ..... | ..... | ..... | 10 00  |





DR.

## GENERAL FUND.

|                     |                                                                                                                                                             |                     |
|---------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------|
| 1858.....           | To Cash paid by Thomas Findley, State Treasurer, for the redemption of Warrants drawn on this Fund, from July 1, 1858, to December 15, 1858, inclusive..... | \$214,475 49        |
| 1858.<br>Dec. 1.... | Transferred to Interest and Sinking Fund of 1857, per Controller's order.....                                                                               | 61,587 93           |
|                     | Balance in this Fund, December 15, 1858.....                                                                                                                | 334,845 04          |
|                     |                                                                                                                                                             | <u>\$610,908 46</u> |

DR.

## HOSPITAL FUND.

|           |                                                                                                                                                             |                   |
|-----------|-------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------|
| 1858..... | To Cash paid by Thomas Findley, State Treasurer, for the redemption of Warrants drawn on this Fund, from July 1, 1858, to December 15, 1858, inclusive..... | \$1,105 87        |
|           | Balance in this Fund, December 15, 1858.....                                                                                                                | 4,561 33          |
|           |                                                                                                                                                             | <u>\$5,667 20</u> |

DR.

## SCHOOL FUND.

|           |                                                                                                                                                             |                    |
|-----------|-------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------|
| 1858..... | To Cash paid by Thomas Findley, State Treasurer, for the redemption of Warrants drawn on this Fund, from July 1, 1858, to December 15, 1858, inclusive..... | \$23,714 68        |
|           | Balance in this Fund, December 15, 1858.....                                                                                                                | 12,592 59          |
|           |                                                                                                                                                             | <u>\$36,307 27</u> |



## GENERAL FUND.

CR.

|            |                                                                                                                                                        |                     |
|------------|--------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------|
| 1858.....  | By balance in this Fund, June 30, 1858. (See Tabular Statement.).....                                                                                  | \$238,669 14        |
| 1858.....  | By Cash received by Thomas Findley, State Treasurer, into this Fund, from July 1, 1858, to December 15, 1858, inclusive. (See Tabular Statement.)..... | 371,739 32          |
| 1858.      |                                                                                                                                                        |                     |
| Sept. 25.. | Transferred from Swamp Land Fund, per Controller's order.....                                                                                          | 500 00              |
|            |                                                                                                                                                        | <u>\$610,908 46</u> |
|            | Balance December 15, 1858.....                                                                                                                         | <u>\$334,845 04</u> |

## HOSPITAL FUND.

CR.

|           |                                                                                                                                                        |                   |
|-----------|--------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------|
| 1858..... | By Balance in this Fund, June 30, 1858. (See Tabular Statement.).....                                                                                  | \$3,231 70        |
| 1858..... | By Cash received by Thomas Findley, State Treasurer, into this Fund, from July 1, 1858, to December 15, 1858, inclusive. (See Tabular Statement.)..... | 2,435 50          |
|           |                                                                                                                                                        | <u>\$5,667 20</u> |
|           | Balance, December 15, 1858.....                                                                                                                        | <u>\$4,561 33</u> |

## SCHOOL FUND.

CR.

|           |                                                                                                                                                        |                    |
|-----------|--------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------|
| 1858..... | By balance in this Fund, June 30, 1858. (See Tabular Statement.).....                                                                                  | \$23,074 06        |
| 1858..... | By Cash received by Thomas Findley, State Treasurer, into this Fund, from July 1, 1858, to December 15, 1858, inclusive. (See Tabular Statement.)..... | 13,233 21          |
|           |                                                                                                                                                        | <u>\$36,307 27</u> |
|           | Balance, December 15, 1858.....                                                                                                                        | <u>\$12,592 59</u> |

DR.

## MILITARY FUND.

|           |                                                                                                                                                             |                   |
|-----------|-------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------|
| 1858..... | To Cash paid by Thomas Findley, State Treasurer, for the redemption of Warrants drawn on this Fund, from July 1, 1858, to December 15, 1858, inclusive..... | \$300 00          |
|           | Balance in this Fund, December 15, 1858.....                                                                                                                | 1,409 61          |
|           |                                                                                                                                                             | <u>\$1,709 61</u> |

DR.

## LIBRARY FUND.

|           |                                                                                                                                                          |                   |
|-----------|----------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------|
| 1858..... | To Cash paid Thomas Findley, State Treasurer, for the redemption of Warrants drawn on this Fund, from July 1, 1858, to December 15, 1858, inclusive..... | \$2,549 00        |
|           | Balance in this Fund, December 15, 1858.....                                                                                                             | 423 52            |
|           |                                                                                                                                                          | <u>\$2,972 52</u> |

DR.

## INTEREST AND SINKING FUND OF 1857.

|  |                                              |                     |
|--|----------------------------------------------|---------------------|
|  | Balance in this Fund, December 15, 1858..... | \$147,138 15        |
|  |                                              | <u>\$147,138 15</u> |

## MILITARY FUND.

|         |                                                                                                                                                         |                   |
|---------|---------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------|
| 58..... | By Balance in this Fund, June 30, 1858. (See Tabular Statement.).....                                                                                   | \$1,047 43        |
| 58..... | By Cash received by Thomas Findley, State Treasurer, into this Fund, from July 1, 1858, to December 15, 1858, inclusive. (See Tabular Statement.) ..... | 662 18            |
|         |                                                                                                                                                         | <u>\$1,709 61</u> |
|         | Balance, December 15, 1858.....                                                                                                                         | <u>\$1,409 61</u> |

## LIBRARY FUND.

Cr.

|         |                                                                                                                                                 |                   |
|---------|-------------------------------------------------------------------------------------------------------------------------------------------------|-------------------|
| 58..... | By Balance in this Fund, June 30, 1858. (See Tabular Statement.) .....                                                                          | \$1,158 02        |
| 58..... | By Cash received by Thomas Findley, State Treasurer, into this Fund, from July 1, 1858, to Dec. 15, 1858, inclusive. (See Tabular Statement ... | \$1,814 50        |
|         |                                                                                                                                                 | <u>\$2,972 52</u> |
|         | Balance, December 15, 1858.....                                                                                                                 | <u>\$423 52</u>   |

## INTEREST AND SINKING FUND OF 1857.

Cr.

|                    |                                                                                                                                                  |                     |
|--------------------|--------------------------------------------------------------------------------------------------------------------------------------------------|---------------------|
| 58.....            | By Balance in this Fund, June 30, 1858. (See Tabular Statement.) .....                                                                           | \$720 61            |
| 58.....            | By Cash received by Thomas Findley, State Treasurer, into this Fund, from July 1, 1858, to Dec. 15, 1858, inclusive. (See Tabular Statement.)... | \$84,829 61         |
| 1858.<br>ec. 1.... | Transferred from General Fund, per Controller's order.....                                                                                       | \$61,87 935         |
|                    |                                                                                                                                                  | <u>\$147,138 15</u> |
|                    | Balance, December 15, 1858.....                                                                                                                  | <u>\$147,138 15</u> |

Dr.

## SWAMP LAND FUND.

|           |                                                           |                    |
|-----------|-----------------------------------------------------------|--------------------|
| 1858.     |                                                           |                    |
| Sept. 25. | Transferred to General Fund, per Controller's order ..... | \$500 00           |
|           | Balance in this Fund, December 15, 1858 .....             | 17,865 22          |
|           |                                                           | <u>\$18,365 22</u> |

Dr.

## REGISTRATION FUND.

|            |                                                                                                                                                              |                 |
|------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------|
| 1858 ..... | To Cash paid by Thomas Findley, State Treasurer, for the redemption of Warrants drawn on this Fund, from July 1, 1858, to December 15, 1858, inclusive ..... | \$126 42        |
|            | Balance in this Fund, December 15, 1858.....                                                                                                                 | 126 42          |
|            |                                                                                                                                                              | <u>\$252 84</u> |

Dr.

## ESTATES OF DECEASED PERSONS.

|            |                               |                |
|------------|-------------------------------|----------------|
| 1858 ..... | To Balance in this Fund ..... | \$89 09        |
|            |                               | <u>\$89 09</u> |

## SWAMP LAND FUND.

Cr.

|           |                                                                                                                                                         |                    |
|-----------|---------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------|
| 858 ..... | By Cash received by Thomas Findley, State Treasurer, into this Fund, from July 1, 1858, to December 15, 1858, inclusive. (See Tabular Statement.) ..... | \$18,365 22        |
|           |                                                                                                                                                         | <u>\$18,365 22</u> |
|           | Balance, December 15, 1858.....                                                                                                                         | <u>\$17,865 22</u> |

## REGISTRATION FUND.

Cr.

|           |                                                                                                                                                         |                 |
|-----------|---------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------|
| 858 ..... | By Cash received by Thomas Findley, State Treasurer, into this Fund, from July 1, 1858, to December 15, 1858, inclusive. (See Tabular Statement.) ..... | \$252 84        |
|           |                                                                                                                                                         | <u>\$252 84</u> |
|           | Balance, December 15, 1858.....                                                                                                                         | <u>\$126 42</u> |

## ESTATES OF DECEASED PERSONS.

Cr.

|            |                                                                       |                |
|------------|-----------------------------------------------------------------------|----------------|
| 1858 ..... | By amount in this Fund, June 30, 1858. (See Tabular Statement.) ..... | \$89 09        |
|            |                                                                       | <u>\$89 09</u> |
|            | Balance, December 15, 1858.....                                       | <u>\$89 09</u> |

DR.

HIRAM SMITH, JR.

*(Absent heir of H. Smith, deceased.)*

|           |                               |                       |
|-----------|-------------------------------|-----------------------|
| 1858..... | To balance in this Fund ..... | \$3,119 29            |
|           |                               | <div>\$3,119 29</div> |



## HIRAM SMITH, JR.

CR.

*(Absent heir of H. Smith, deceased.)*

|         |                                                                          |                   |
|---------|--------------------------------------------------------------------------|-------------------|
| 58..... | By amount in this Fund, June 30, 1858. (See<br>Tabular Statement.) ..... | \$3,119 29        |
|         |                                                                          | <u>\$3,119 29</u> |
|         | Balance, December 15, 1858 .....                                         | <u>\$3,119 29</u> |

## BALANCES,

*In the following Funds, December 15, 1858.*

|                                                          |              |
|----------------------------------------------------------|--------------|
| General Fund .....                                       | \$334,845 04 |
| Hospital Fund.....                                       | 4,561 38     |
| School Fund.....                                         | 12,592 58    |
| Military Fund.....                                       | 1,409 61     |
| Library Fund.....                                        | 423 52       |
| Interest and Sinking Fund of 1857.....                   | 147,138 18   |
| Swamp Land Fund .....                                    | 17,865 28    |
| Registration Fund.....                                   | 126 42       |
| Estates of Deceased Persons.....                         | 89 00        |
| Hiram Smith, jr., absent heir of H. Smith, deceased..... | 3,119 20     |
|                                                          | <hr/>        |
|                                                          | \$522,170 20 |

## COPIES OF CONTROLLER'S ORDERS,

*To Transfer Funds.*

OFFICE OF CONTROLLER OF STATE, }  
 Sacramento, September 25, 1858. }

*Hon. Thomas Findley, State Treasurer :*

SIR :—You will please transfer from the Swamp Land Fund to the General Fund the sum of five hundred dollars, (\$500) for the payment of Surveyors' and Recorders' fees, under Act of March 13, 1858, "to provide for the authentication of certain evidence in relation to Swamp and Overflowed lands," etc.

Very respectfully, etc.,

G. W. WHITMAN,  
 State Controller.

OFFICE OF CONTROLLER OF STATE, }  
 Sacramento, December 1, 1858. }

*Hon. Thomas Findley, Treasurer of State :*

SIR :—You will transfer from the General Fund to the Interest Fund the sum of sixty-one thousand five hundred and eighty-seven dollars, and ninety-three cents, (\$61,587 93.)

A. R. MELONY,  
 State Controller.

## GENERAL RECAPITULATION,

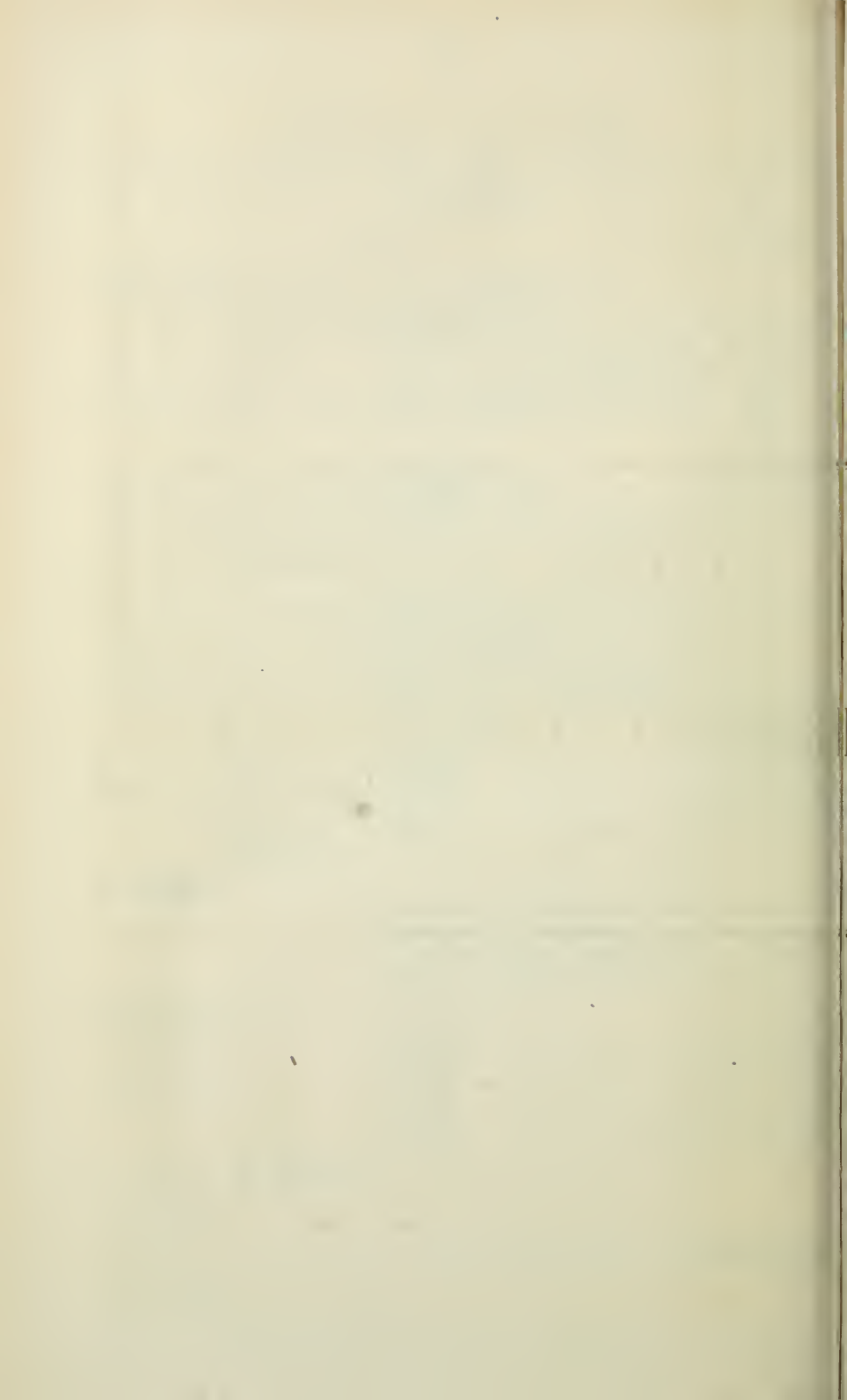
*Of Receipts and Expenditures, from December 16th, 1857, to December 15th, 1858, inclusive.*

| RECEIPTS.                                                                                                                                       | TOTAL AMOUNT.  |
|-------------------------------------------------------------------------------------------------------------------------------------------------|----------------|
| Cash received by James L. English, State Treasurer, into the various Funds, from the 16th of December, 1857, to January 6th, 1858, inclusive :  |                |
| Amount .....                                                                                                                                    | 396,616 11     |
| Old Balance added below. (See Tabular Statement, June 30th, 1858.)                                                                              |                |
| Cash received by Thomas Findley, State Treasurer, into the various Funds, from the 8th of January, 1858, to the 30th June, 1858, inclusive..... | 319,746 61     |
| (See Tabular Statement, June 30th, 1858.)                                                                                                       | =====          |
| Cash received by Thomas Findley, State Treasurer, into the various Funds, from July 1st, 1858, to December 15th, 1858, inclusive.....           | 493,332 38     |
| (See Tabular Statement, Dec. 15th, 1858.)                                                                                                       | =====          |
|                                                                                                                                                 | 493,332 38     |
|                                                                                                                                                 | 1,209,695 10   |
| Balance on hand, December 15th, 1857.....                                                                                                       | 88,686 29      |
|                                                                                                                                                 |                |
| \$1,298,381 39                                                                                                                                  |                |
| 776,211 13                                                                                                                                      |                |
| <hr/>                                                                                                                                           |                |
| \$522,170 26                                                                                                                                    |                |
|                                                                                                                                                 |                |
|                                                                                                                                                 | <hr/>          |
|                                                                                                                                                 | \$1,298,381 39 |

### GENERAL RECAPITULATION,

*Of Receipts and Expenditures, from December 16th, 1857, to December 15th, 1858, inclusive.*

| EXPENDITURES.                                                                                                                                                                                                 |              | TOTAL AMOUNT.  |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------|----------------|
| Cash paid by James L. English, State Treasurer, for the redemption of Warrants drawn on the following Funds, from December 16th, 1857, to January 6th, 1858, inclusive. (See Report ending June 30th, 1858 :) |              |                |
| General Fund.....                                                                                                                                                                                             | \$50,903 41  |                |
| Hospital Fund.....                                                                                                                                                                                            | 5,037 27     |                |
| School Fund.....                                                                                                                                                                                              | 10,561 20    |                |
| Library Fund.....                                                                                                                                                                                             | 279 04       |                |
|                                                                                                                                                                                                               | <hr/>        | \$66,780 92    |
| Cash paid by Thomas Findley, State Treasurer, for the redemption of Warrants drawn on the following Funds, from January 8th, 1858, to June 30th, 1858, inclusive. (See Report ending June 30th, 1858 :)       |              |                |
| General Fund.....                                                                                                                                                                                             | \$443,727 15 |                |
| Hospital Fund.....                                                                                                                                                                                            | 2,848 77     |                |
| School Fund.....                                                                                                                                                                                              | 19,356 95    |                |
| Military Fund.....                                                                                                                                                                                            | 789 48       |                |
| Library Fund.....                                                                                                                                                                                             | 124 00       |                |
|                                                                                                                                                                                                               | <hr/>        | 466,846 35     |
| Loss on Gold Dust.....                                                                                                                                                                                        |              | 312 40         |
|                                                                                                                                                                                                               |              | <hr/> <hr/>    |
|                                                                                                                                                                                                               |              | \$523,939 67   |
| Cash paid by Thomas Findley, State Treasurer, for the redemption of Warrants drawn on the following Funds, from July 1st, 1858, to December 15th, 1858, inclusive :                                           |              |                |
| General Fund.....                                                                                                                                                                                             | \$214,475 49 |                |
| Hospital Fund.....                                                                                                                                                                                            | 1,105 87     |                |
| School Fund.....                                                                                                                                                                                              | 23,714 68    |                |
| Military Fund.....                                                                                                                                                                                            | 300 00       |                |
| Library Fund.....                                                                                                                                                                                             | 2,549 00     |                |
| Registration Fund.....                                                                                                                                                                                        | 126 42       |                |
|                                                                                                                                                                                                               | <hr/>        | 242,271 46     |
|                                                                                                                                                                                                               |              | <hr/> <hr/>    |
|                                                                                                                                                                                                               |              | 242,271 46     |
|                                                                                                                                                                                                               |              | <hr/>          |
| Balance on hand, December 15th, 1858.....                                                                                                                                                                     |              | 776,211 13     |
|                                                                                                                                                                                                               |              | 522,170 26     |
|                                                                                                                                                                                                               |              | <hr/>          |
|                                                                                                                                                                                                               |              | \$1,298,381 39 |





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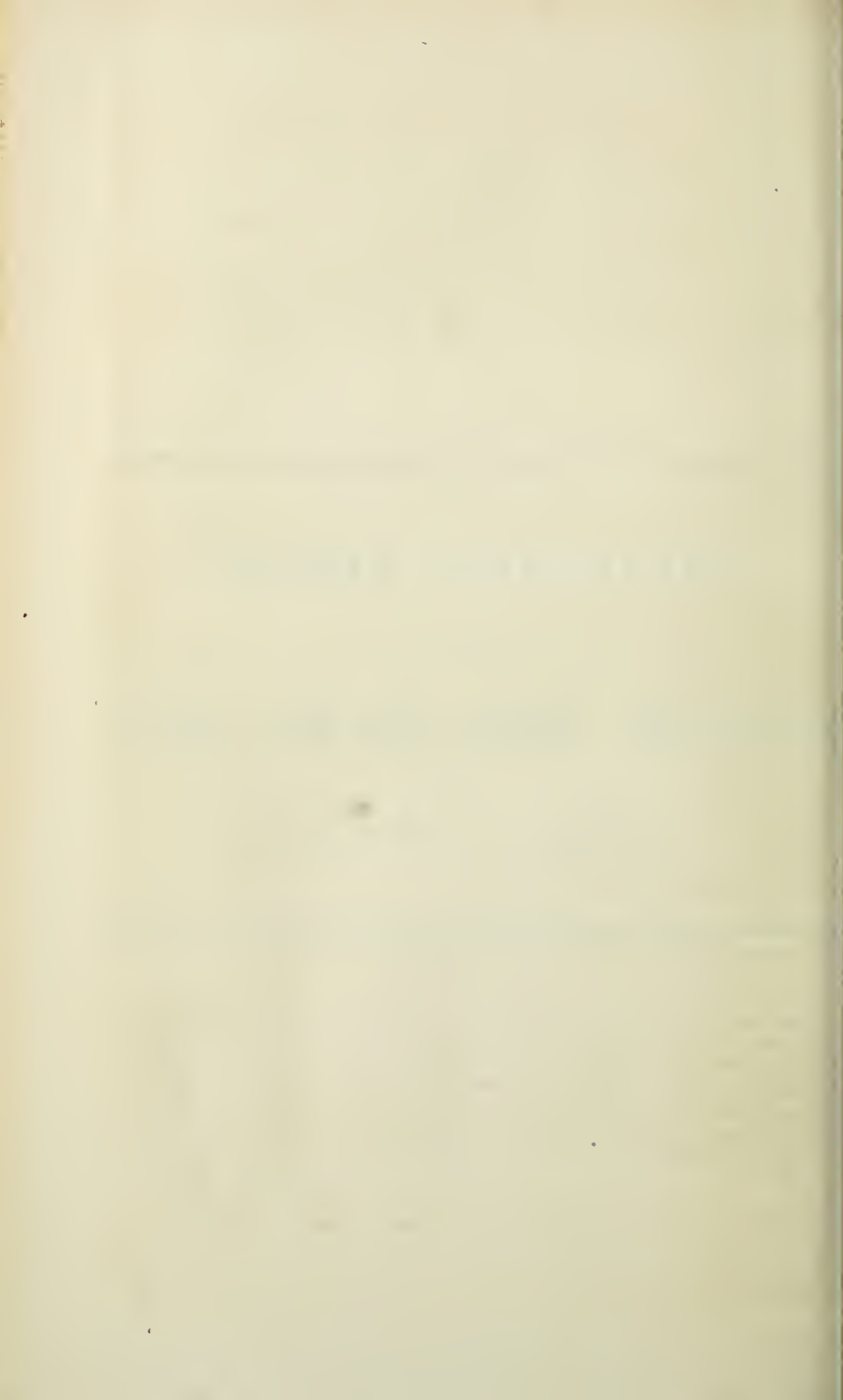
TREASURER'S REPORT

ON

BONDING THE STATE DEBT.

UNDER ACT OF APRIL 28, 1857.

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# STATE TREASURER'S

## REPORT ON FUNDING THE DEBT OF THE STATE.

STATE OF CALIFORNIA, TREASURY DEPARTMENT, }  
Sacramento, Dec. 15th, 1858. }

To His Excellency,  
JOHN B. WELLER,  
*Governor of the State of California :*

Agreeable to the provisions of an Act entitled "An Act to provide for paying certain equitable claims against the State of California, and to contract a funded debt for that purpose," approved April 28th, 1857, I herewith transmit a statement of all proceedings of this office had by authority thereof.

### INDEBTEDNESS RECEIVED AND FUNDED.

|                                                                                         |              |                |
|-----------------------------------------------------------------------------------------|--------------|----------------|
| Civil Bonds issued under Act of April 29, 1851                                          | \$149,000 00 |                |
| Civil Bonds issued under Act of May 1, 1852..                                           | 1,335,800 00 |                |
| Civil Bonds issued under Act of March 16, 1855                                          | 684,500 00   |                |
| Civil Bonds issued under Act of April 19, 1856                                          | 967,500 00   |                |
|                                                                                         | 3,136,800 00 |                |
| Interest on above Bonds, as appeared by the<br>Coupons .....                            | 321,026 08   |                |
| Total amount Bonds and Interest.....                                                    |              | \$3,457,826 08 |
| Controller's Warrants .....                                                             |              | 212,830 53     |
| Claims audited by Legislature of 1857.....                                              |              | 48,163 26      |
| Claims audited by Legislature of 1858.....                                              |              | 203,067 39     |
| Certificates of Balance issued by R. Roman, Treasurer.....                              |              | 781 45         |
| Certificates of Balance issued by S. A. McMeans, Treasurer                              |              | 528 00         |
| Certificates of Balance issued by Henry Bates, Treasurer...                             |              | 1,535 87       |
|                                                                                         |              | 3,924,732 58   |
| Deduct amount of Certificates of Balance issued in bonding<br>and now outstanding ..... |              | 24,732 58      |
| Amount of Bonds issued .....                                                            |              | \$3,900,000 00 |

## EQUITABLE INDEBTEDNESS STILL OUTSTANDING.

On reference to the books of this Department, I find of equitable indebtedness, still outstanding :

|                                                                                        |             |              |
|----------------------------------------------------------------------------------------|-------------|--------------|
| Civil Bonds issued under Act of April 29, 1851...                                      | \$10,000 00 |              |
| Civil Bonds issued under Act of May 1, 1852.....                                       | 54,500 00   |              |
| Civil Bonds issued under Act of March 16, 1855                                         | 15,500 00   |              |
| Civil Bonds issued under Act of April 19, 1856...                                      | 17,500 00   |              |
|                                                                                        | 97,500 00   |              |
| Interest on above Bonds to date, due and unpaid                                        | 13,365 30   |              |
|                                                                                        |             | \$110,865 30 |
| Controller's warrants.....                                                             |             | 5,102 79     |
| Claims audited by Legislature of 1857.....                                             |             | 120 00       |
| Claims audited by Legislature of 1858.....                                             |             | 2,256 81     |
| Certificates of Balances (old).....                                                    |             | 408 00       |
| Certificates of Balances issued by Thomas Findley, Treasurer, in bonding the debt..... |             | 24,732 58    |
| Total.....                                                                             |             | \$143,485 48 |

A large portion of the above has been presented to me for funding, but the amount authorized by the Act (three millions nine hundred thousand dollars,) having been issued, no power existed in me to convert the same into legal indebtedness. That it is an equitable claim against the State, equal, in all respects, to that assumed, there can be no question.

Four Bonds presented for funding have been rejected—three for \$1,000 each, and numbered 551, 552, and 553—because I believe the Governor's signature (John Bigler,) attached thereto is not genuine, and the date of the registry does not correspond with the date of the Bonds, and one No. 230, for \$500, from the fact that two of this number have been issued, the record only calling for one. All of these bonds were issued by S. A. McMeans, as Treasurer, under "Act of March 16th, 1855."

The Banking and Express firm of Wells, Fargo & Co. deposited for funding \$10,121 on the 27th day of January, 1858, and \$12,130 on the 7th day of May, 1858, amounting in all to \$22,251, and being in the form of Controller's Warrants dated in the latter half of the sixth fiscal year.

The usual examination having been had, and each separate Warrant passed upon and audited by the Governor and Controller, I issued to Messrs. Wells, Fargo & Co. on the 18th day of March, 1858, Bonds of the State amounting to \$10,000, and a Certificate of Balance for \$121, payable to their order, and on the 24th day of June, 1858, Bonds of the State amounting to \$12,000, and a Certificate of Balance for \$130, payable to their order, taking their receipt for the same. Subsequently, both Certificates of Balance were returned to this office properly endorsed by Wells, Fargo & Co., and funded according to law.

Thus the matter stood until the 16th day of October, 1858, when R. P. Lee, the Clerk employed by the Attorney-General to examine and write

the accounts and books of ex-State Treasurer McMeans, agreeable to the provisions of an Act approved March 17th, 1858, found, on footing his memorandum of vouchers, \$35,874 20 less in Controller's Warrants than a former Clerk (N. A. H. Ball, employed by Committee of the Legislature of 1856,) had given credit for in his report, made March 8th, 1856. (See Reports.)

Making inquiry of Ball for information in the premises, the numbers, dates, and amounts of each Warrant, credited by and in the possession of said Ball in 1856, were furnished, a list having been preserved by him of very voucher in his hands at that time.

Mr. Lee then made out a memorandum of the missing Warrants, and on an examination of the books of this office it was found that of the \$35,874 20 missing, \$22,251 00 had been funded, and the Bonds issued thereon delivered to Messrs. Wells, Fargo & Co. at the time above stated. The balance, \$13,623 20 have not been presented at this office, and are probably yet outstanding.

It being evident that a fraud had been committed—these Warrants having been paid by McMeans, thrown into the vaults of the Treasury uncanceled, and subsequently stolen or otherwise improperly obtained—I at once notified Mr. Louis McLane, Managing Agent of the house of Wells, Fargo & Co. in California, of the discovery of the fact, and demanded of him the return of the Bonds, or their equivalent. He refused to do either, when I ordered suit commenced in the name of the State against Wells, Fargo & Co., for the \$22,251 00, and interest thereon until paid. This suit is now pending—its issue remains for the Courts to decide.

It may be proper here to remark that no receipt was taken, or cancellation mark whatever made, by ex-State Treasurer McMeans upon these Warrants, when he paid them; that the Committee of the Legislature who examined his accounts omitted to cancel them; and that the cash-book and other records of the said McMeans were loosely and carelessly kept, affording me no reliable information. Fair on their face, they passed the rigid scrutiny of the Examining Board—the bonds issued thereon, and were delivered to Wells, Fargo & Co.

Mr. Ball states that he returned all the books and vouchers of ex-State Treasurer McMeans to the Committee of the Legislature, who deposited them in the State Treasurer's office during the term of Henry Bates. At what time these Warrants were stolen, or by whom, it is impossible for me to state. I can only say, I am quite positive I never received them from my predecessor.

A large amount of paid uncanceled Warrants are now in this office. No authority existing in me to cause them to be canceled, I would suggest that you recommend the Legislature to appoint a committee to cancel the same.

In some instances, evidences of indebtedness have been funded, although no record whatever could be found registering their issuance, but they constituted within themselves a genuine indebtedness, fundable under the law, and could not be rejected merely because the agents of the State had neglected to make (or, if they made, mislaid) the record.

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In conclusion, I would request that you recommend to the Legislature

to appoint a committee, with authority to make a thorough examination of the books, accounts, and vouchers, and all matters appertaining to, or connected with this Department, under the Funding Law, approved April 28, 1857.

With respect, I have the honor to be your obedient servant,

THOMAS FINDLEY.

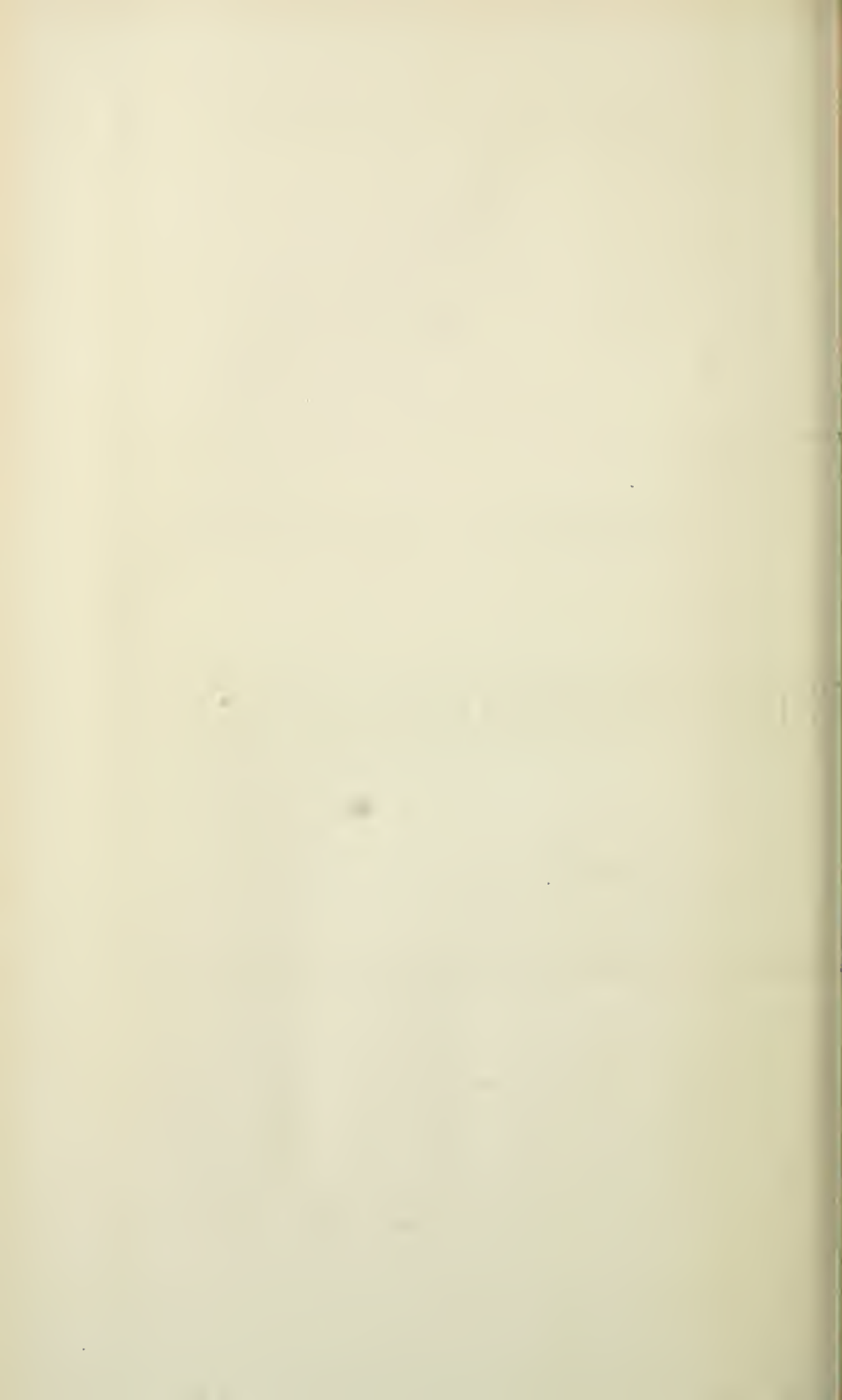
State Treasurer.











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ANNUAL REPORT  
OF  
THE SURVEYOR-GENERAL,  
FOR  
THE YEAR 1858.

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JOHN O'MEARA.....STATE-PRINTER.

# ANNUAL REPORT.

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STATE LAND OFFICE,  
Sacramento, January 8, 1859. }

to His Excellency,

JOHN B. WELLER,

*Governor of California :*

In accordance with the requirements of the Act concerning the Office of Surveyor-General, I have the honor to submit the following Annual Report of this Office for the past year.

Having been informed by your Excellency that the Public Lands of the State would be made the subject of a Special Message, and that it was not necessary for me to submit my Report immediately, I have delayed doing so until now, in order to lay before you further information in regard to School-Land Locations, which I expected to receive from the Humboldt District.

Respectfully,

H. A. HIGLEY,

Surveyor-General, and Register of Land Office.





## SWAMP LANDS.

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In November, 1850, Mr. J. Butterfield, then Commissioner of the General Land Office, issued a circular to the United States Surveyors-General of the different States, informing them of the passage of the Act of Congress, granting the swamp lands, and the manner in which the same should be segregated. The purport of these instructions, marked (1) and herewith submitted, is to this effect: The Act clearly grants to the several States those lands which, from being swamp, or subject to overflow, are unfit for *regular* cultivation. In this class are included all lands which, though dry a part of the year, are *subject* to inundation at the planting, growing, or harvesting season, so as to destroy the crop; and, therefore, are unfit for cultivation—taking the average of the seasons as the rule of determination.

In the older States, the swamp lands having been surveyed before the grant was made, he says if the State authorities choose to adopt the field-notes as the basis of their selection, they will be so regarded by the United States. But if they are convinced that these notes do not properly describe the land, they will be allowed to furnish proof as to its true character. The affidavits of County Surveyors, and other respectable persons, that the lands are of the character embraced by the law, should be sufficient. The U. S. Surveyors-General were to make out lists of these lands as soon as possible.

It will be noticed that, in these instructions, when speaking of this grant, the lands embraced are called swamp *or* overflowed—not swamp *and* overflowed. It has been maintained by some, that lands, to come within the purview of the Act, must partake of both characters. This is evidently not its meaning. The Commissioner having had great experience in the method of sale and survey of public lands, knew, that to properly determine the character of these lands, the field-notes and plats of the United States Deputies could not be relied on, from the fact that most of the surveys were made in the dry season. He knew it would be impossible for the deputy, who had contracted with the Government to survey a certain number of miles at a certain price per mile, when he happened to approach a body of swamp or overflowed land, to allow his men to remain idle in camp, under pay, while he visited all the inhabitants in the neighborhood to learn from them the true line of overflow

that renders the land unfit for cultivation. The Surveyor was simply instructed, in this State, not to subdivide the swamp lands, but simply to run the traverse line of segregation. His object would properly be, to make as much money out of the contract as he honestly could. It would be preposterous to suppose that he would go to an expense of perhaps double what he would receive from the General Government, in the attempt to procure this information. His line of division between the wet and dry lands was, therefore, run in accordance with the facts as they presented themselves on the surface of the earth at the time the survey was made. If the work were performed during the wet season, the gain enured to the State; and if in the dry, then to the United States. Unfortunately, however, for the interests of California, it is here almost impossible for the Surveyor to pursue his avocation in the rainy season. Consequently, he selects the summer and fall months for his labors in the field. From May to November he runs his line of segregation, where the dust rises from beneath his feet, and grasshoppers make way before him. If, at any other season of the year, he wished to retrace his lines of segregation, unless an expert swimmer, he would find a boat a very necessary medium of navigation!

The Commissioner, seeing clearly the great injustice that would thus be done to the State, instructed the United States Surveyor-General, that if the State authorities were not satisfied with the lines thus run, and had surveys made to determine the boundaries of the swamp or overflowed lands, they should be accepted and approved; provided, their correctness was established by affidavits of County Surveyors and other respectable witnesses.

The necessity for immediate action in this matter was repeatedly urged upon the Legislature by my predecessors and myself, but nothing effected.

The instructions of 1850, seemingly based upon a fair construction of the law conferring the grant, having been issued from the General Land Office, the supposition was, that they would be adhered to; and the action of this office, previous to my term of service, in the sale and selection of swamp lands, has been in accordance with them. My predecessors requested County Surveyors to accompany their returns with the following affidavit, subscribed to by reliable witnesses:

"I, ———, County Surveyor, of the County of ———, being duly sworn, do depose and say that I am well acquainted with the method of surveying and marking the public lands, and that I have made, in my proper person, examination of the lands in the following list, viz.: (here give a list of the lands, by legal subdivisions, surveyed under the Act during the month, by you, to the character of which you are willing to make affidavit,) and that from said examination I have discovered, and am well satisfied, that every forty-acre lot, or its equivalent legal subdivision, embraced in said list, is the greater part swamp or swampy, or subject to inundation at the planting, growing, or harvesting season, so as to endanger, injure, or destroy the crops, taking the average season for a reasonable number of years as the rule of determination.

"Witness my hand this ——— day of ———, 1857.

"Subscribed and sworn to before me this ——— day of ———, 1857.

"———, Justice of the Peace."

This request was complied with in most instances.

Having learned that a letter was received by Gov. Johnson from Mr.

Hendricks, Commissioner of the General Land Office, in relation to the proper signification of the term "cultivation," in which he differed widely from Mr. Butterfield, and, anticipating difficulty, I made the following a part of the instructions of this office to County Surveyors:

"When the U. S. township plats show a line of segregation, whether the same be by an irregular meander-line, or by the lines of the rectangular subdivisions, you will consider such line of segregation as the boundary of the swamp and overflowed lands, until further instructed.

"If your surveys are of lands excluded by said lines of segregation from the public lands of the United States, or from private land claims, you will state that fact in your field-notes, and such statement will preclude the necessity for the affidavit as to character, etc., of the lands.

"If, however, you are satisfied that any forty-acre tract of the U. S. subdivisions, not excluded by said line of segregation, is swamp and overflowed, within the meaning of the affidavit as to character, you will report the same to this office, with the proper affidavits to prove the facts.

"Where lands, reported by the U. S. township plats as dry, are claimed as swamp and overflowed, according to the affidavit as to character, you may make survey thereof, and specially report the same, with the necessary affidavits to substantiate the claim of the State thereto.

"In all such cases, a statement of the facts, and the reason of the State's claim, will be reported to the General Government, at Washington, and proper steps will be taken to secure the State's title.

"The decision of the authorities will be made known to the parties claimant, if favorable, and the needed measures adopted to perfect the title."

"In no case have I approved a survey without the required affidavit."

I directed the Surveyors not to survey lands designated upon the township plats as dry, because I wished to avoid those difficulties in regard to title which have arisen under surveys approved before my term. I did not believe the lines of segregation properly established; still, I knew, as the Legislature had taken no action in the premises, if we sold land represented upon the plats to be dry, the General Government would also sell the same land to other parties, thus creating confusion of title that would work great injustice to the purchaser from the State. There could be no doubt that the Legislature would sooner or later understand the immense importance of the landed interest of the State, and take some steps towards establishing the proper boundaries of the swamp land grant. The following is a portion of the letter of Mr. Hendricks, mentioned above:

"The question of cultivation has been carefully examined, and we have long since decided, that to place the land without the purview of the Act, it is not necessary for the cultivation to be in grain. It was not the design of Congress to grant to the States those rich prairie meadows where crops of grass may be cultivated and harvested—hay being regarded as much a staple production as wheat or corn. It is true, there is difficulty in its cultivation, and that it may be successfully raised and harvested where grain would perish; yet the fact that any land may be cultivated in any staple production, removes it from the operation of the law, which was designed to grant only such lands as, in their natural condition, were 'unfit for cultivation by reason of swamp or overflow, and which, to be made valuable, would need the artificial aid of drains or embankments.'"



In a communication addressed to your Excellency about a month since, (a copy of which is herewith submitted,) I alluded to this letter. Every one acquainted with our peculiar climate, must agree with me that the construction put upon the law by Mr. Hendricks will deprive the State of the only really valuable portion of the grant. I am confident, however, that upon a proper representation of facts, and a more thorough knowledge of the character of our floods, he will be induced to view the matter in a light more favorable to the State.

The Act of our Legislature, passed 1855, authorized the sale of the swamp lands granted to the State by the Act of Congress of 1850. The General Government, having at that time segregated but a small portion of this grant, my predecessors instructed the County Surveyors to transmit, with their returns, affidavits as to the character of the lands embraced in the survey. It was supposed this would be sufficient, as the grant was made of lands of a certain kind; not of a tract of land, described by metes and bounds. Some of the lines of segregation have since been established, in many instances excluding from the overflow, lands long before sold by the State as swamp, and evidently such. A portion of these lands is now advertised to be sold by the General Government in February next. Those holding the title of the State, naturally becoming alarmed for the safety of their homes, which are liable to pass into other hands, have appealed to me, as the agent of the State, to protect her title. Some of these express their willingness to forfeit the interest on the purchase-money already paid, provided they are allowed to locate lands under the School-land Law of 1858. I was for some time in doubt what course to pursue. The County Surveyors, and other respectable persons, having sworn that the lands are of the character embraced in the grant, I consider it my duty, as the State's agent, to recognize them as such, until such time as the General Government refuses to patent them to the State. Yet, if such school-land location is not allowed, the United States authorities undoubtedly will sell the lands in February next; and the occupant, who purchased from the State in good faith, having confidence in her ability to convey a title, and has erected valuable improvements upon the lands, would have acquired no right of priority or precedence over the speculator, at the Government sales of these lands. In fact, he would enter the market as bidder, at considerable disadvantage; for the speculator could afford to pay a high price for the lands, on account of their improvements, while the occupant, having already been at much expense in their construction, could not profitably pay for them a second time.

It will readily be seen what great injustice would be done these parties, were these lands permitted to be sold to the highest bidder, when, in good faith, they believed they had procured a perfect title, by strictly conforming to the terms of purchase prescribed by legislative enactment. The State is in honor bound to use every possible means to protect her own title; and the Register, as her constituted agent, should permit no opportunity to pass, where his exertions can be properly used for the accomplishment of that purpose.

The two grants—the one of the swamp lands, and the other of the 500,000 acres of school lands—are entirely distinct; and, by the Constitution of the State, and the Act of Congress, the proceeds are to be applied to entirely different purposes. I was afraid that, if the land was really swamp or overflowed, and a school location was allowed to be made upon it, the State would lose just so much land.

In searching through the various Acts of Congress in relation to pub-

lic lands, I found that one passed March 2d, 1855, in section two, provides that, if it is proved to the satisfaction of the Commissioner of the General Land Office, that lands sold by the United States are swamp and overflowed, the purchase-money shall be paid over to the State, or other public lands given in lieu thereof. The acceptance of a school-land location, by the United States authorities, would be tantamount to a sale by the United States; and, although we might lose that particular tract, we could get another in lieu of it. Therefore, if the party holding the State title was himself desirous of again purchasing the land, under the 500,000 acre grant, he was allowed to do so. He was, in every case, however, advised to continue to pay his interest upon the swamp-land purchase, for fear, if he neglected to do so, some one else might comply fully with the terms of the Act of 1858, authorizing the sale of these lands, and, proving the same to be swamp or overflowed, demand his title under the same law. But in no case have I approved school-land locations upon lands sold as swamp, except to those who have shown also the best swamp-land title. I informed those who paid twice for the lands, that I would recommend to the Legislature to refund the money paid for one or the other title, as soon as the true character of the land was determined.

The Act of Congress entitled "An Act for the relief of purchasers and locators of swamp and overflowed lands," passed March 2d, 1855, authorizes the President to cause patents to be issued to purchaser or locators who have made entries of the public lands, claimed as swamp lands, prior to the issue of patents to the State. It provides, however, that in all cases where any State may have sold or disposed of any tract of land, prior to the entry, sale, or location of the same, under the pre-emption or other laws of the United States, no patent shall be issued by the President, until the State shall release its claim thereto. It further provides, that if the State shall not, within ninety days from the passage of the Act, return to the General Land Office a list of the lands sold, the patents shall be issued immediately, etc.

I was in doubt whether the provisions of this Act applied to entries made prior to the issue of patents to the State *after* as well as *before* its passage. But by reference to an Act passed March 3d, 1857, entitled "An Act to confirm to the several States the Swamp and Overflowed Lands selected," etc. etc., will be found the following provision: "That nothing in this Act shall interfere with the provisions of the Act of Congress entitled 'An Act for the relief of Purchasers and Locators of Swamp and Overflowed Lands,' approved March 2d, 1855, which shall be, and is hereby, continued in force, and extended to all entries and locations of lands claimed as swamp lands, made since its passage."

From this, it would appear that Congress has reserved the right to sell any portion of the swamp lands, whether sold by the State or not. For, at the time the Act of 1855 was passed, our Legislature had not provided for the sale of swamp lands. Even if any had been sold, it would have been impossible to return lists from California within the ninety days. Whether Congress had a constitutional right, after granting these lands to the State, to sell them a second time, is a question admitting of doubt to many minds. The argument of Judge Scates, the agent of the State of Illinois, I think is convincing. That State denied the right of Congress to compel her to accept a certain price per acre for her swamp land, or exchange it for other land, of a different character. Judge Scates was sent to Washington to demand a patent for all selections made upon swamp lands, before the passage of the Act grant-

ing the same. He says: "The Act of 1850 is a grant, *in presenti*, of all lands of a certain character, with provisions to ascertain and identify the same; with provisions, also, in the nature of covenants, for a further assurance by patent, containing that certain description of the property, when ascertained." "The whole of that description was granted, and was *then* granted, and must then have taken effect as a grant, if language is allowed its true force and meaning. The superfluous assertion in section second, which, after providing that a patent shall issue upon request, declares that, 'on that patent, the fee-simple to said lands shall vest in the said State,' can not, in any view or sense, qualify or restrain the force or effect of the first section. The patent would have the same effect without, as with, this declaration. It is wholly unnecessary and superfluous, as to operative effect, and throws no light upon the meaning of the grantor." "A State, as land-holder, may make a direct grant by an Act of the Legislature, without any intervening agent, patent, or other conveyance. Every Act which contains a contract, and, under which, contracts have been entered into, is, as to those contracts, irrevocable. A sovereign State may not annul its own contracts or grants, and this is also applicable to the United States." "Congress may directly grant, by a legislative Act, without any agency of the Land Office or the President, and it will not be in the power of Congress to annul or rescind such grant, or sell the same lands to another." "By the first grant, all right and title passed, and the Government has no right or power to sell a second, though the title still remains in her; for it will so remain in trust for the first purchaser."

The argument is lengthy and very able, supported by various authorities of law.

If our next Legislature provides for the immediate selection of the swamp lands of the State, the Acts of Congress, above referred to, will work but little injury to her, for she has disposed of only a small portion of the lands now offered for sale by the Government; and in cases where sales have already been made, I think arrangements may be entered into by which those holding a title from the State will be entirely protected from loss. If the Government should dispose of any other of our swamp lands, we can recover back the purchase-money. The selections should have been made several years ago. Every hour's delay is a loss to the State. By the erection of levees, and other improvements, the waters of many streams have been confined within their banks; and by the shutting of water off from sloughs, and ditching, much of the land which, a few years ago, was submerged three-fourths of the time, has been reclaimed, and is now fit for cultivation. In the Tulare Valley, much of the land which was almost constantly overflowed, in years past, is now dry the greater portion of the year; from the fact that beaver-dams and other obstructions which prevented the flow of the water through its natural channels, have been removed.

Of course, the State will claim all lands which were swamp, or subject to overflow, at the time the grant was made. To enable her to do this successfully, it will be necessary to produce evidence as to the character of the lands at that time. The delay of each year renders this more difficult. In Sacramento county, for instance, the flood of the present year could not be considered an indication of the extent of the natural overflow; because the river is leveed for miles below Sacramento City; while the embankments and causeways which have been thrown up from the river to the high land, back, protect that country from the floods which have heretofore entirely inundated it. The population of California being



somewhat migratory in its habits, makes it important that the testimony of witnesses, as to the true character of these lands, should be procured before a change takes place in their residence which may possibly carry them beyond the limits of the State.

In this matter, we are far behind the other States. Had we sent our lists to Washington in time, they would have been confirmed, and patents issued to the State before this, under the general Act of 1857, which granted to the States all the swamp lands selected by State authority, not otherwise previously disposed of by the General Government. The different States have adopted various methods of making these selections. In Florida, agents were appointed to examine the lands in the State, and mark upon the plats in the United States Land Offices all such as they believed to be swamp. They received one cent for each acre thus selected. In Illinois, the agents were directed to make the selections as above, and, when necessary, to make surveys, and return the plats and notes to the State Land Office. Thirty thousand dollars were expended in doing this. In these, and the other States, surveys of all the lands had been made by the United States Surveyors previous to 1850, and selections could be made by sections. Here, however, the swamp lands have not been sectionized, and have been townshiped in but few localities. Consequently, it will be necessary to run the line of segregation, and continue the township lines through the tule as far as practicable. I do not think it would be advisable, at this time, to sectionize, as the cost would be too great. The township lines should be run, if possible. The County Surveyors must have these lines established to base their subdivisions upon; and, by carefully noting all sloughs, rivers, character of land, etc., on line, some idea might be formed of the best means to reclaim those immense bodies of tule lands, which, in the language of Mr. Beaumont, County Surveyor of San Joaquin county, "are as little known to the people of this State, as the Territory of New Mexico."

It would be impossible for me to correctly estimate the cost of the survey. I think, however, it would hardly exceed one cent per acre. The Act of 1850 provides that the proceeds of the sales of these lands shall be applied exclusively to the purpose of reclaiming them. The survey, then, would be the first step towards the reclamation; for without it, we could not ascertain how this could be best accomplished.

In March last, the Legislature passed a concurrent resolution, instructing our Senators and requesting our Representatives to urge upon Congress the passage of a law authorizing the State of California to segregate from the United States domain the swamp and overflowed lands granted her by the Act of Congress, at her own cost—the State taking reliable testimony, under oath, and furnishing maps of the same to the proper department at Washington. There is a probability that such a law will be passed by Congress during its present session. The better to enable the State to make the selections next summer, let the Legislature authorize the Surveyor-General, by deputy, to make the necessary surveys; fix the price to be paid per mile or acre; appropriate twenty thousand dollars from the Swamp Land Fund, and authorize the issuance of twenty thousand dollars of swamp land scrip; pay for the surveys partly in scrip, and partly in cash; and allow this scrip to be taken in payment for swamp lands. Parties holding it would, of course, soon purchase; and thus, in each scrip-holder, the State would have an agent whose interests would be promoted by bringing these lands early into the market. The accounts of the deputies, sworn to, and certified by the Surveyor-General, would necessarily go before the Board of Examiners for allow-

ance. The field-notes could be accompanied by evidence as to the character of the lands required by the United States, and be made under the instructions of the Surveyor-General, subject to the approval of the Governor.

The Act establishing a Land Office, makes it the duty of the Register to ascertain the extent, limits, and boundaries of all lands to which the State is entitled, and have the title vested in the State; and, when necessary, to agree upon the same with the proper officers of the United States.

The impracticability of correct surveys being made during the winter season, has already been shown; and, to those at all familiar with the character of the lands and overflows of California, must furnish a convincing and conclusive argument. But the department at Washington seems not to have so clear a perception of the facts as those of us nearer home; and though addressed respectfully and fully on the subject by Executive communication, could, undoubtedly, be brought to a more explicit and determinate understanding of the whole subject, if the evidence, accompanied by proper explanations, were presented in person by a regularly authorized agent of the State, qualified from practice and experience for the proper discharge of that responsible duty.

An office of this kind would involve the necessity of explaining to the Commissioner of the General Land Office, the peculiarity of the California seasons; the topography of the country; the extent, locality, kind, and quality of the lands and overflows; the nature of the improvements made, and their effect and influence in turning aside the waters; the class and uses of the spontaneous vegetable growth of the swamp and overflowed lands; the suggestion, and, if possible, the adoption, of an average line of determination between the highest and lowest floods that have occurred since the grant was made; to agree upon the necessary forms to be required for the transmission of lists; and many other incidental questions, of great importance to the State, which could be more fully elaborated, and better explained, orally, than through the medium of correspondence, which would necessarily be voluminous, and not always liable to a correct and perfect interpretation.

Every other State has been represented in this manner, and found it highly advantageous to their interests—a success attending the personal efforts of these agents, which could not, perhaps, have been attained in any other manner. The appointment of this officer should be among the earliest Acts of the Legislature; in order to enable him to proceed to Washington with the lists of swamp and school lands already selected, with a view to their acceptance and confirmation by the Department; and, after agreeing upon some general plan for the selections hereafter to be made, return in time for the Surveyors to be placed in the field, for the performance of the summer labor.

### SWAMP LAND ACT OF 1855.

The Swamp Land Act of 1855 is very imperfect, and has been variously interpreted by different interested parties. It provides that the person, or persons, wishing to acquire lands from the State, shall cause the same to be surveyed by the County Surveyor, the purchaser having previously filed an affidavit, to the effect that he (or she) knows of no other legal claim of any description; and that the Surveyor shall deliver a certified copy of the field-notes to the purchaser, who shall cause the same to be recorded within thirty days after the completion of the survey; the pur-

chaser, at the time, or previous to the filing of the field-notes for record, to pay one dollar per acre for the land, and to be entitled to a credit of five years, by paying interest, at the rate of ten per cent. per annum, one year in advance. The lands shall be declared forfeited if the interest is not paid within one year from the date that it becomes due.

The Act further requires that the County Treasurer shall pay the purchase-money into the State Treasury; the State Treasurer to certify the receipt of the same to the Secretary of State, who shall issue a certificate of purchase to the purchaser, etc. Section nine of the same Act further provides that the time of computing interest shall, in all cases, commence from the date of the certificate of purchase.

It is to the ambiguity (or, rather, the want of completeness) in those portions of the Act last above quoted, that the numerous difficulties in the final adjustment of titles is mainly attributable. Suppose the purchaser to have made his first payment of interest, within the prescribed term of thirty days after the survey, but failing to apply for his certificate of purchase, the same is not issued to him; and the effect is, that he is relieved of, or avoids, the payment of both principal and interest, after having complied with the provisions of the Act relating to the payment of the first year's interest. In other words, interest does not accrue until the certificate of purchase has been issued; the law fails to render such issuance imperative; and the consequence is, that the purchaser holds the lands after paying the paltry sum of ten cents on the acre, and deprives the State of all other benefits contemplated to arise from placing them in the market. It is left for others to determine as to the motives of purchasers, in delaying to make application for certificates of purchase; but the rarity of the instances in which they have done so, very plainly suggests the necessity of so amending the law as to make the act compulsory.

Discovering at once the losses which a literal interpretation of the Act was likely to entail upon the State, I submitted the matter to the Attorney-General, who furnished me with a written opinion (herewith submitted,) agreeing entirely with my own views of the case, viz.: that, as the law evidently intended payment should be made for the lands, interest must be calculated from the date the certificate of purchase *should* have been issued—that is, the time that payment is made into the State Treasury. I have, accordingly, so held and decided.

The attention of the Legislature is respectfully directed to this subject, with the expression of a hope, on my part, that, in amending the Act of 1855, to render its provisions more effective, the purchasers of swamp and overflowed lands may be required to make application for, and compelled to receive, a certificate, within six months from the passage of the Act, on penalty of forfeiture of title. It is impossible for the State Register to perform strictly the duties imposed on him, unless some such amendment to the Act should be adopted. More than one-half the lands already sold, are, by strict construction of the law, forfeited, so far as the present records of this office show. It is barely possible that payments may have been made to the County Treasurers, and no returns made by them to the State Treasury. If so, the Act is none the less defective, as it permits money to be retained in other hands than where it properly belongs, to the injury of our entire people. In many instances, the provisions of the Act are so indifferently observed, that both the names of purchasers, and the descriptions of the lands purchased, have been omitted, in the returns made to the State Treasurer. At other times, the lands are described without naming the purchaser; or, the purchaser being named,



the description of the lands is neglected; so that, although the Register may be satisfied, from the certificate of the State Treasurer, that certain persons have paid for swamp lands, yet, as these lands are not described, it is necessary for him to refer to the original survey for the description. As there may be several persons of the same name, or one purchaser of several tracts of land, the Register is frequently at a loss to determine for which particular tract payment has been made.

I suggest that this difficulty might be avoided, by compelling the parties to make application directly to the Register, or through the County Treasurer, for certificates of purchase, and to state that they hold the receipt of the County Treasurer for the lands for which they seek a certificate of purchase, with a description of the same accompanying. If the certificate of the State Treasurer failed to show that the money had been paid, the purchaser could then exhibit his receipts; which would at once fix the blame of omission or culpability upon the County Treasurer, and enable the State Treasurer to demand the amount due, when the County Treasurer came forward for a settlement of his quarterly accounts. In many instances, where discrepancies occur in the settlement of the accounts of County Treasurers with the State Treasurer, the latter is unable to certify the payments of swamp and overflowed lands to this office. I am of opinion that when the State Register is satisfied that the proper payments have been made, by purchasers, to the County Treasurers, he should be empowered to issue the required certificates of purchase. I would also further suggest that where the purchaser has failed to comply strictly with the provisions of the Act of 1855, so far as it relates to the payment of interest within the prescribed time, and there are no applications of second or third parties to purchase the same, the Register be permitted to exercise discretionary judgment as to the cause of failure as assigned, and issue or withhold the title, as may seem to conform with the spirit of the law, and subserve the best interests of the State.

Under the Act of 1855, the purchaser is required to have the field-notes recorded, as well as pay for the land within thirty days from the date of survey. The record of the field-notes being one of the requirements of the Act, a neglect to make the record must work a forfeiture. The Register has now no means of knowing whether the record has been made or not.

### SWAMP LAND ACT OF 1858.

The sales of land under this Act have not been so numerous as it was anticipated they would be. The swamp lands which were excluded from the provisions of the law of 1855, embrace, probably, the most valuable portion of the grant. The United States Land Office has given its interpretation to the Act of Congress, making the grant—with regard to the true meaning of which a difference of opinion is entertained—and the settler hesitates to purchase the title of the State, for the failure of the Legislature, as heretofore, to make provision for their selection, exposes the land to the contingency of being again offered for sale by the General Government.

I am of the opinion, from personal examination, that the lands bordering upon, and for some distance back of, the Sacramento River, on both sides, must be confirmed to the State; and have, therefore, in all cases, advised the purchase of the State's title. If exceptions exist to the rule, they are rare, and extend only to an occasional isolated forty-acre lot. The labor of searching for these spots and surveying them, would cost

the Government more than they would bring, if offered for sale; which precludes the belief that it will ever set up a separate claim to them.

It is asserted by the settler, that should he buy from the State, and the land is proven to belong to the United States, the purchase-money would be lost to him. In proof, he cites the fact that the seventh section of the Swamp Land Act of 1858 provides that the title of the State shall have no other force nor effect than as a quit-claim on the part of the State.

I have invariably taken the ground, that the Legislature never would permit such an injustice to be done; that the title would undoubtedly be perfected by the State, or the money refunded to the parties purchasing, or other lands be given instead. Certainly, I have not overrated either the honesty or the generosity of the people's representatives in this particular. The object of the section above referred to, as I construe it, is merely to secure the State against any claim for constructive damages, should an effort be made to recover, in cases where parties are compelled to relinquish the State's title.

Another reason why there has not been a greater demand for these lands, rests in the fact that advance payment is required to be made for them in full. The Law of 1855 was very properly repealed, requiring, as it did, simply that the interest on the purchase-money should be paid, and no part of the principal. Under its provisions the purchaser could enjoy the possession and use of a tract of land for two years by paying the trifling sum of ten cents on the acre. If the lands were timbered, he could cut down the trees and dispose of the wood; and if it were found at the expiration of five years that the land was worth more than the price asked by the State, of course he would find it to his advantage to have his title perfected. If, on the other hand, the land was found to be worth less than the price demanded, the premises would be abandoned, and the title forfeited. This gave the purchaser a discriminative right of decision; and whether he remained an occupant of the land, or abandoned it, the State was a loser by the operation.

To remedy this defect, and also to overcome the objections made, the purchaser might be required to pay twenty per cent. of the principal, and ten per cent. interest on the balance, after the land has been surveyed, as is now done in the case of the school lands. The purchaser would then find little or no difficulty in paying for his lands. If a forfeiture should ensue, the lands would revert to the State; and the amount already advanced by the purchaser would probably be amply sufficient to indemnify for damages sustained by the removal of timber, etc.

In this connection, I would respectfully refer your Excellency to the report of Mr. Beaumont, Surveyor of San Joaquin County. San Joaquin County embraces more swamp lands than any other County in the State, and Mr. Beaumont, I know, has given much attention to the best method for the sale and disposition of them. Should the plan suggested be adopted by the Legislature, there is little reason to doubt that a great portion of these lands could be sold in a very short time.

A question arises, whether the interests of the State would not be best subserved by allowing purchasers, after a certain time, to locate more than three hundred and twenty acres. The price of swamp lands might also be graduated. If the best of these lands are worth no more than one dollar per acre, a much greater proportion of them is not worth one-quarter so much. Some can be reclaimed at a trifling cost, while to render others fit for cultivation, would require an outlay of at least thirty dollars per acre.

*Amount of Swamp and Overflowed Land which has been Surveyed and returned to this Office, and approved by the Surveyor-General, under the Act of April, 1855, viz.:*

## STATEMENT.

| NAMES OF COUNTIES. | Acres returned<br>in 1855. | Acres returned<br>in 1856. | Acres returned<br>in 1857. | Acres returned<br>in 1858. |
|--------------------|----------------------------|----------------------------|----------------------------|----------------------------|
| Alameda .....      |                            | 1,179                      | 817                        | 203                        |
| Butte .....        | 1,280                      | 1,765                      |                            |                            |
| Colusa .....       | 2,413                      | 3,214                      |                            | 200                        |
| Contra Costa.....  | 200                        | 3,089                      | 8,360                      | 1,833                      |
| Del Norte.....     |                            |                            | 1,360                      |                            |
| Fresno .....       |                            |                            | 3,040                      | 2,228                      |
| Humboldt .....     |                            | 2,280                      | 1,069                      | 1,808                      |
| Merced .....       |                            | 1,318                      |                            | 520                        |
| Sacramento.....    | 3,669                      | 19,560                     | 21,552                     | 720                        |
| San Francisco..... |                            | 1,793                      |                            |                            |
| San Joaquin.....   | 24,043                     | 31,734                     | 32,292                     | 21,451                     |
| Shasta .....       |                            | 720                        |                            |                            |
| Siskiyou .....     |                            | 840                        | 2,040                      |                            |
| Solano .....       | 2,736                      | 2,773                      | 8,334                      | 4,801                      |
| Sonoma .....       |                            |                            |                            | 1,349                      |
| Sutter.....        | 5,236                      | 15,657                     | 5,262                      | 200                        |
| Stanislaus .....   | 3,011                      | 2,019                      | 783                        | 522                        |
| Tulare .....       | 720                        | 9,668                      | 27,954                     | 4,316                      |
| Yolo.....          | 11,917                     | 18,680                     | 1,840                      | 11,960                     |
| Napa .....         |                            |                            | 404                        |                            |
| Totals.....        | 55,225                     | 116,289                    | 115,107                    | 52,113                     |

What proportion of these lands has been forfeited, it is impossible for me to state at this time. The County Treasurers were some time since requested to furnish this office with a statement of the various amounts which had been paid for swamp lands in their respective counties, with the name of the purchaser, date, and description. This request has, in most instances, been complied with; but, owing to the great press of business, arising from the sale of school lands, and the want of sufficient clerical force, it has been impossible for me to so arrange the returns and records, as to show the exact state of affairs in regard to the lands sold before the State Land Office was created. I hope, however, to be able, if allowed the necessary assistance, to give, in my next Report, a statement of the true condition of all the lands sold up to that time.

Under the Act of 1858, there have been returned to this office surveys of swamp lands, comprising acres as follows:

| COUNTIES.         | Acres. |
|-------------------|--------|
| Alameda .....     | 1,536  |
| Colusa .....      | 800    |
| Contra Costa..... | 600    |
| Humboldt.....     | 316    |

| COUNTIES.         | Aeres. |
|-------------------|--------|
| Placer .....      | 640    |
| Sacramento .....  | 13,003 |
| San Joaquin ..... | 2,025  |
| San Mateo.....    | 206    |
| Siskiyou .....    | 400    |
| Solano.....       | 3,623  |
| Sutter....        | 1,272  |
| Stanislaus .....  | 250    |
| Yolo .....        | 5,254  |
| Fresno .....      | 293    |
| Del Norte.....    | 40     |
| Total.....        | 30,258 |

Of this amount, about 19,000 acres are situated on the banks of the Sacramento River. Probably no other lands than those excluded from the provisions of the Act of 1855, will be sold during the coming year.

Of the total amount derived from the sale of swamp lands, the sum of \$48,136 95 was paid into the General Fund before the passage of the Act of April, 1858, creating a Swamp Land Fund, and should be restored to its proper place, and expended in the selection and reclamation of those lands.

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#### LANDS OF THE STATE OWNED BY VIRTUE OF HER SOVEREIGNTY.

Of this class of lands there have been sold as follows, and paid to the County Treasurers, as per Auditors' certificates, two hundred and thirty-one dollars and sixty-seven cents:

|                       |              |
|-----------------------|--------------|
| Humboldt County ..... | 289.82 acres |
| Alameda County.....   | 12.82 acres  |
| Total .....           | 302.64 acres |



[Communication to the Governor concerning Letter of Gov. Denver.]

STATE LAND OFFICE,  
Sacramento, November 24, 1858. }

His Excellency,

JOHN B. WELLER,

*Governor of California :*

SIR :—I have the honor to transmit, herewith, a copy of a letter received a few days since from Gov. Denver, suggesting the necessity of immediately forwarding to Washington lists of the selections of swamp and overflowed lands made by authority of the State.

Owing to a want of a just appreciation of the importance of making the selections, our Legislature has never acted in the matter, other than to authorize the sale of swamp and overflowed lands, upon certain conditions. The lands thus sold, amounting to but a small portion of the grant, are the only selections yet made. It is a notorious fact, however, that the United States Deputies have largely encroached upon lands really the property of the State, if a fair and liberal construction is put upon the intent and meaning of the Act granting the swamp and overflowed lands to the State. It is to be supposed that Congress, by the Act of 1850, making the grant, really intended to give something of value to the different States; and the Commissioner at that time (Mr. Butterfield,) seemed to be impressed with that idea, judging from his instructions to the United States Surveyors-General, issued the same year. He says: "If the authorities of a State are willing to adopt the field-notes of the United States surveys as the basis of the list of swamp land selections, you will so regard them;" in which event, of course, there could be no further controversy between the State and the United States.

Mr. Butterfield continues: "If not, and those authorities furnish you satisfactory evidence that any lands are of the character embraced by the grant, you will so report them." Again, he says: "Where the State authorities may conclude to have surveys made to determine the boundaries of the swamp or overflowed lands, those boundaries alone should be surveyed, taking connections with the nearest section or township corners. Where satisfactory evidence is produced that the whole of a township, or any particular part of a township, or the whole of a tract of country, bounded by specified surveyed or natural boundaries, is of the character embraced by the grant, you will so report it. The affidavits of the County Surveyors, and other respectable persons, that they understand and have examined the lines, and that the lands bounded by lines thus examined and designated in the affidavits, are of the character embraced by the law, should be sufficient. The line or boundary of the overflow that renders the land unfit for *regular* cultivation, may be adopted as that which regulates the grant."

This is evidently fair—both to the grantor, who undoubtedly desires to be generous; and to the grantee, who expects to derive some benefit from the gift. Who, sir, I ask, is the more proper judge of the true character of the land—the United States Surveyor, who sees it for the first and last time when running his lines in the driest season of the year, or the County Surveyor, or other competent witness, who has lived upon or adjoining it for years, and who anxiously watches the rise and fall of the waters, which are liable at any moment to destroy the entire produce of his labor?

I have made surveys in most parts of the State, and I know, from personal observation, how these lines of segregation were run—how they must have been run at the price allowed by the General Government for such work. The seasons of California are wholly unlike those of any of the older States of the Union within whose borders swamp lands are found. We have here but two—the wet and dry. During the rainy season, it is almost impossible for the Surveyor to perform his duties in the field; consequently, it is in the summer months that most of his work is done. He is instructed to run the line dividing the dry from the swamp lands. He honestly runs this line, separating the overflowed from the dry land, as it appears to him at that time; and yet, over the very line which his men are then chaining without wetting the soles of their shoes, a few months before, or later, he might find a volume of water through which to navigate a vessel of fifty tons burden. With equal propriety the State might have sent out her Surveyors at the height of the flood in 1853, when those portions of the State bordering on streams presented the appearance of one vast lake, and taken the water-line then as the true boundary of segregation. Either course would be the adoption of an extreme not contemplated by the interested parties.

As I am led to understand, the instructions of 1850 relative to the proper method of selecting the swamp lands, have been set aside for those of a more recent date, said to have emanated from the present chief of the General Land Office, a copy of which I have not, as yet, been able to procure.

From the Report of the Surveyor-General for 1856, I find mention made of a letter, addressed by Mr. Hendricks, Commissioner of the General Land Office, to your predecessor in office, in which he states: "The question of cultivation has been carefully examined, and we have long since decided that, to place the land without the purview of the Act, it is not necessary for the cultivation to be in grain. It was not the design of Congress to grant to the States those rich prairie meadows whose crops of grass may be cultivated and harvested—hay being regarded as much a staple production as wheat or corn."

The Commissioner of the Land Office, in 1850, the year the grant was made, in his instructions says: "All the lands which, though dry a part of the year, are subject to inundation at the planting, growing, or harvesting season, so as to destroy the crop, and therefore are unfit for cultivation, taking the average season, for a reasonable number of years, as the rule of determination, are to be considered granted to the State."

The Act of 1850 grants to the States all "swamp and overflowed lands, made thereby unfit for cultivation." Because the waters recede sufficiently, during a few months in the year, to allow a crop of rank grass, tules, and aquatic plants, to grow to such a height that they may be cut, dried, and fed to cattle, for lack of a better food, should be no proof that the land is fit for cultivation. Swamps, in many of the Western States, yield luxuriant and profitable crops of cranberries, and yet they are scarcely fit for cultivation. Hay is undoubtedly a staple production, when cultivated upon good lands, like grain, or other crops; and, choice of crops being left with the farmer, he might raise hay, or something else, as he saw fit. If he were to await the falling of the waters, however, to harvest this rank vegetation, of spontaneous growth, I am disposed to think the market would be glutted with dried bulrushes, and the farmer convinced that, although hay might be as much a staple as corn or wheat, yet, it would not prove quite as nutritious a food for the bipeds of his family, and he would probably proceed to reclaim his lands,

by levees and ditches, that he might, by cultivation, have an election as to the *kind* of staple he would prefer to raise!

From the great amount of current business in this office, it will be impossible for me to furnish proper lists of even those lands the State has already sold. Some of these lands, as I have before informed your Excellency, are offered for sale by the President, in February next; although, in a note appended to the proclamation, it is said that swamp and overflowed lands will be excluded from the sale. I have addressed circulars to the different United States Land Offices, asking if my protest, as agent of the State, would be sufficient to induce them to withdraw certain swamp lands from market; or, if proof as to the character were required, in what manner should I present it. The Registers of the San Francisco and Marysville Districts replied, that they could not withhold from sale any of the lands offered, except under direct instructions from Washington.

I have no doubt, in my own mind, but the Registers have power to withhold the lands. In the proclamation, certain *described* lands are offered for sale; yet why should the note be appended, were it not intended that if, in the list offered, there should be found swamp lands, they should be withdrawn from market? With the exception of those lands for which the State has already given title, it makes but little difference to her whether she sells the swamp lands, or they are disposed of by the General Government. The second section of an Act of Congress, passed March 2, 1855, provides that, "upon due proof, by the authorized agent of the State, before the Commissioner of the General Land Office, that any of the lands purchased (*i. e.*, from the United States,) were swamp lands, within the true intent and meaning of the Act aforesaid, (of 1850,) the purchase-money shall be paid over to the State," etc. etc. But, should the United States again sell lands which have been purchased from the State in good faith, supposing them to be swamp, which have been levied and drained, and upon which valuable improvements have been erected, she would be inflicting upon the settler great injustice and injury. He, relying upon his title derived from the State, of course never dreamed of the necessity of securing it by pre-emption; and the consequence will be that, should the United States authorities insist upon offering these lands for sale in February next, the settler, who has spent much money and time in making the land valuable, will be at the mercy of the heartless speculator, who, of course, would bid the tract off at the full value of improvements and land. It has always been the policy of our Government to assist the actual settler and tiller of the soil. The money to be derived from the sale of the lands referred to is a matter of no moment to the State, or United States. In fact, I would assume the responsibility of saying, that if these lands are really the property of the United States, the Legislature of California would willingly agree to refund ten times their original cost, rather than the hard-working citizen should suffer so great an injustice as to be despoiled of them.

I am afraid that no action of the next Congress, in this matter, can be had in time to prevent the evils which the February sale must inflict. Still, I think upon a proper representation of the facts to the General Land Office, that the Secretary of the Interior would, at least, instruct the United States Registers in California to withhold from sale the lands already sold by the State, until such time as the true character of the land can be proven.

I would suggest to your Excellency, in view of the exigency of the occasion, the propriety of addressing our Senators and Representatives



in Congress on this subject, asking them to procure from that body, at as early a day as possible, the passage of an Act explanatory of the Act of 1850, granting the swamp and overflowed lands to the several States. Let us have some definite rule for our guidance. Let Congress say what shall be taken as the true line of segregation. Why would it not be proper to take the mean of the greatest and least overflow since 1849 as the line? or, say that, in this State, all lands shall be considered as embraced in the grant of 1850, which are ordinarily overflowed in the rainy season—taking an average of the various floods from 1849 to 1858? To simplify the matter, let the points of intersection of the United States section-lines with the line of average flood be established. Let these intersections be connected by straight lines, and all quarter-quarter sections, or forty-acre lots, the greater part of which are shown by these lines to be within the swamp or overflow, be certified to the State. I think there can be no doubt that our next Legislature will take some measures to ascertain the true line of segregation. This can be done by running the lines according to the evidence of persons who have been familiar with each locality for years.

I transmit, herewith, a list of the swamp lands sold by the State, and which are now offered for sale by the Government, in February next.

Respectfully your obedient servant,

H. A. HIGLEY,

Surveyor-General, and *ex officio* Register of Land Office.

A list of the swamp lands sold by the State was transmitted to A. G. Bradford, Esq., Register of United States Land Office at Stockton. In an official communication, he informs me that, although some of these lands are offered for sale in February, he will, in justice to the purchasers from the State, withdraw them from the market, until further instructions are received from Washington.

## SCHOOL LANDS.

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### THE FIVE HUNDRED THOUSAND ACRES DONATION.

At the time the School-land Act of April 23, 1858, was passed, there had been sold School-land Warrants as follows:

|                                              |         |
|----------------------------------------------|---------|
| Nos. from 1 to 838, for 160 acres each ..... | 134,080 |
| Nos. from 1 to 324, for 320 acres each ..... | 103,680 |
| Total acres.....                             | 237,760 |

Which, deducted from 500,000, leaves a balance of 262,240, to be sold under the provisions of the Act of 1858. The whole of this amount has been selected, although full returns have not yet been received at this Office. Purchasers, in every instance, preferred to pay twenty per cent. of the purchase-money, and interest, at the rate of ten per cent. per annum, on the balance. This method of payment is much the best for the School Fund; as, in the event that the full amount of the purchase-money were paid, the law requires it to be converted into State Bonds, bearing interest only at the rate of seven per cent. per annum. The lien upon the land is ample security for the payment of the balance.

Section six of the Act providing for the sale of these lands, on a credit, is obscure in its language, and difficult to be rightly interpreted. It reads: "Or if said purchaser prefer, he may pay twenty per cent. of the purchase-money, and *one* year's interest on the balance, in advance, and the Register of the State Land Office shall deliver to him a certificate of purchase." The law does not say when this money shall be paid, nor does it provide for the payment of more than one year's interest, although the credit extends to one year after the locations are approved by the General Government.

To prevent misunderstanding, I instructed the Locating Agents in no case to receive applications unless they were accompanied by an agreement to the following effect: The applicant to pay one dollar and twenty-five cents per acre, when the land is located in the United States Land Office, in the following manner—twenty per cent. of the principal, and interest on the balance, at the rate of ten per cent. per annum, in advance, dating as above, from the time of the location. Inasmuch as there were instances in which, after the locations had been made in the United States Land Office, they could not be approved by the Surveyor-General, purchasers were allowed a period of thirty days after the date of approval, in which to make their payments. I had no authority to require this—yet I knew that it would be the means of avoiding a great deal of trouble. The law required that affidavits should be made before a Notary Public, or Justice of the Peace. The Locating Agent had legal power to administer oaths, and he was the most competent person to exercise the right

in making these locations. There are instances of affidavits having been subscribed to before him.

I would respectfully suggest, through you, to the Legislature, that the School-land Law of April 23, 1858, be so amended and explained as to require the twenty per cent. of the principal, and the ten per cent. interest on the balance to be paid within thirty days after the approval of the Surveyor-General is recorded by the Locating Agent; that the interest shall be considered to date from the approval of the location in the United States Land Office; that the subsequent year's interest be paid yearly in advance, at the rate of ten per cent., until the whole of the purchase-money is received; and that all affidavits required in applications for land, which have been subscribed to before the Locating Agents, be declared lawful and valid.

## STATEMENT.

|                                                                                                               |                 |
|---------------------------------------------------------------------------------------------------------------|-----------------|
| Balance of 500,000 acres not sold under Warrants, 262,240, which,<br>at \$1 25 per acre, would amount to..... | \$327,800       |
| Twenty per cent. of \$327,800.....                                                                            | \$65,560        |
| Ten per cent. interest on balance, \$262,240.....                                                             | 26,224          |
| Total.....                                                                                                    | <u>\$91,784</u> |

Which will probably be paid to the County Treasurers before the first of March.

Of this amount, \$65,560 will be expended by the Board of Examiners in the purchase of State Bonds, which will be placed to the credit of the School Fund. The interest-money, \$26,224, will be subject to the order of the Board of Education, and by them apportioned to the different Counties.

## STATEMENT.

|                                                              |                  |
|--------------------------------------------------------------|------------------|
| Sold under School Warrants, 237,760 acres, at \$2,00.....    | \$475,520        |
| Twenty per cent. of purchase-money on balance.....           | 65,560           |
| Amount of School Fund drawing seven per cent. per annum..... | <u>\$541,080</u> |
| Yearly interest.....                                         | \$37,875 60      |
| Ten per cent. on \$262,240, amount still due for land.....   | 26,224 00        |

|                                                             |             |
|-------------------------------------------------------------|-------------|
| Yearly amount of interest, from sale of 500,000 acres.....  | \$64,099 60 |
| Amount paid County Treasurers for School lands, as shown by |             |

Auditors' certificates, received by this Office, to date.....\$40,541 68

Which amount will probably be paid into the State Treasury in the January settlement.

## SCHOOL-LAND WARRANTS.

I would respectfully call your attention to the present condition of the School-land Warrants and the lands upon which they have been located.

An Act of the Legislature of 1852, provided for the issuance of Warrants for 160 and 320 acres each, one person not being allowed to purchase more than 640 acres; although one man could buy from individuals as many Warrants as he had money to pay for, and locate them to the full amount of the grant.

The same Act allowed locations to be made upon unsurveyed lands, while the Act of Congress making the grant, expressly provides that the

selection shall be made of lands surveyed according to existing laws. The holder of the Warrant was required to apply to the County Surveyor to have the land desired to be located, surveyed by lines running to the cardinal points. A copy of the field-notes, certified to be correct by the County Surveyor, was to be recorded in the office of the County Clerk, and then, as far as the provisions of the Act were concerned, the location was complete. Nothing is said as to what disposition shall be made of the Warrant; nor is it even required that the fact of location shall be endorsed upon it.

The purchaser of course retained his Warrant, and, if he chose, could sell it to a second party, who, ignorant of the prior location, would probably locate it a second time in some other County.

We will then suppose a Warrant to have been located a dozen times in this manner, each one having been made in exact conformity to the law. Which one will hold? Suppose, again, that A, the original holder of a Warrant, locates it upon a certain piece of land: After the location is completed he sells the land to B, and the Warrant to C: C locates the Warrant, in a different part of the State. For which of the two tracts of land will the State give title? As the land which A sold to B was the first location, and no float had been made in the manner prescribed by law, the supposition is that it will hold good. But suppose C sells the Warrant to D, and he locates it in the United States Land Office under the provisions of the Act of the Legislature of 1857—many locations have been thus made, and in all instances the United States Register retained the Warrants and certified the location to the Department at Washington as a selection of the State—the supposition is, that the United States would patent to the State that tract of land located by D, and B would consequently, lose his land.

Section twelve of the School-land Act of 1858, provides, "That all School-land Warrants now in circulation, shall be received for school lands, and may be located as now provided by law."

A number of applications for lands have been received where the parties agree to pay for the same with certain School-land Warrants. The locations have been made in the name of the State, and I have accepted them as State selections, but in all cases have refused to issue certificates of purchase to the applicant until some action shall be taken in the matter by the Legislature. The same Warrant may have been located before, and if it is decided that the first is the only valid location, then of course the applicant under the Law of 1858 ought not to receive a certificate. As the Law now stands, the Register has no power to issue certificates of purchase for locations made in the United States Land Offices under the Act of 1857. From information derived from the Registers of the United States Land Office and the County Surveyors, I have made out a list of all the School-land Warrant locations made in the State, showing when, where, and by whom, they have been located. This list will be found in the Appendix, and I trust will be printed. I do not know that it is entirely complete, but I think it will be found to be nearly so. By circulating the list, interested parties will be able to find out whether other locations than their own have been made under the same Warrant; and if so, can inform themselves whether the same were properly floated, etc. By communicating the result of their inquiries to this office, we can in time arrive at a correct knowledge of the true condition of these Warrant locations.

Even the Law of 1858 does not require the Warrants to be canceled after the location is made.



## SEMINARY LANDS.

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The seventy-two sections of land granted to the State for a Seminary of Learning, have probably been selected by the Locating Agents.

Having received no advices from the Humboldt Land District for some time, I can not state the exact quantity located. There is no doubt, however, that all the land to which the State is entitled, can and will be selected before the sales of the United States Lands take place in February next. Section ten of the Act authorizing the sale of the seminary lands, provides that one year from the passage of the Act there shall be taken from the School Fund \$57,600, with which State Bonds are to be purchased, and placed to the credit of the Seminary Fund. All those lands have been sold upon the credit allowed by the Act. Consequently, upon one dollar per acre the purchaser pays interest at the rate of ten per cent. per annum, while State Bonds yield but seven per cent.

The selections and locations of the two grants for school and seminary purposes, are entirely separate and distinct, and the records in this office are so kept.

It is probable that full payments for these lands will not be demanded for several years. The law works, in consequence, an injustice to the Seminary Fund, by compelling it to accept State Bonds in lieu of the lien upon its own lands, which yields an interest of three per cent. per year more.

Parties desiring to purchase these lands make application for them as seminary lands. The selections are approved in the United States Land Office as such, and the receipt of the County Treasurers and the statements of the State Treasurer show them to be of that class.

Two Townships would amount to 46,080 acres, which, at \$1 25 per acre, would realize \$57,600. Twenty per cent. of this would yield \$11,520, and the first year's interest on the balance, at ten per cent., would be \$4,608. Total of first year's payment, \$16,128. This amount should very properly be invested in State Bonds, as well as each succeeding year's interest, amounting to \$4,608, from the unpaid balance, with \$1,129, the interest on the first Bonds. At the expiration of five years, the Fund would be as follows:

|                                                                          |            |             |
|--------------------------------------------------------------------------|------------|-------------|
| Twenty per cent. of principal, and interest on balance, first year ..... |            | \$16,128 00 |
| Second year's interest on unpaid balance.....                            | \$4,608 00 |             |
| Interest on State Bonds for \$16,128 00.....                             | 1,128 96   |             |
| Carried forward .....                                                    |            | 5,736 96    |

|                                                                                                  |            |             |
|--------------------------------------------------------------------------------------------------|------------|-------------|
| Brought forward .....                                                                            |            | \$5,736 96  |
| Third year's interest on unpaid balance.....                                                     | \$4,608 00 |             |
| Interest on State Bonds for \$21,864 96.....                                                     | 1,530 55   |             |
|                                                                                                  |            | 6,138 55    |
| Fourth year's interest on unpaid balance.....                                                    | \$4,608 00 |             |
| Interest on State Bonds for \$28,003 51.....                                                     | 1,960 24   |             |
|                                                                                                  |            | 6,568 24    |
| Fifth year's interest on unpaid balance.....                                                     | \$4,608 00 |             |
| Interest on State Bonds for \$34,571 75.....                                                     | 2,420 02   |             |
|                                                                                                  |            | 7,028 02    |
| Total of twenty per cent. of principal and interest<br>on unpaid balance and State Bonds.. ..... |            | \$41,599 77 |
| Eighty per cent. of principal unpaid .....                                                       |            | 46,080 00   |
| Total to be derived from sale of Seminary Lands<br>in five years .....                           |            | \$87,679 77 |

This exhibit will show very clearly the advantage to the Fund, of prolonging the credit allowed the purchaser until there is actual need for the use of the whole principal.

By the terms of the Act, it can be called in whenever the Legislature so desires.

I would recommend, therefore, that so much of the Act as requires the Board of Examiners, on the twenty-third of April next, to invest \$57,600 in State Stocks for the benefit of the Seminary Fund, be repealed, and that provision be made for the purchase of State Bonds, with so much of the principal as may be paid up, with the interest accruing on those Bonds, and with the interest upon that portion of the principal which remains unpaid.

## PUBLIC BUILDING LANDS.

The Act of Congress granting to the State the seminary lands, also donated to her ten sections, or 6,400 acres, to aid in the erection of public buildings. This grant probably escaped the attention of the last Legislature, as no provision was made for the selection or disposal of the same. As, under the Act making the grant, the Governors of the different States had the power to make these selections, at your suggestion, and as your agent, I last summer proceeded to the country about Clear Lake, for that purpose. I found, however, no vacant land of sufficient value to authorize me in making the selections. I would, therefore, recommend that a law be immediately passed, authorizing the sale of the Public Building Lands at the rate of two dollars per acre, twenty-five per cent. of the

principal, and ten per cent. per annum interest on the balance, to be paid when the location is approved, and interest to be paid yearly in advance, at the rate of ten per cent. per annum, with the whole of the purchase-money when called for by Act of the Legislature. The whole grant can thus be disposed of, if the Act is passed sufficiently early in the session to enable parties to locate the lands before the February sales.

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## COUNTY BOUNDARIES.

But one survey of a County line has been returned to this office—that between the Counties of Santa Clara and Monterey, under the requisition of the Board of Supervisors of Santa Clara County. A commission was issued to Chas. T. Healy, Surveyor of Santa Clara, as Deputy. Notice was given the Board of Supervisors of Monterey that instructions had been issued, with a request that they would appoint a Commissioner to accompany Mr. Healy. The boundary has been established to the satisfaction of both Counties, and the survey approved.

The Board of Supervisors of Placer County made application for a survey of the boundaries of their County and recommended Mr. Elliott, the County Surveyor, as a proper person to establish the lines. I appointed him some time since, but he has not as yet made his returns.

Applications for boundary surveys have been received from the Supervisors of Napa and Sonoma Counties. I have not as yet deputized any one to perform the work.

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## STATISTICS.

In obedience to the requirements of the law, I issued circulars to the County Surveyors and Assessors, calling upon them for the statistical information required to be transmitted to this office. Full reports have been received from the Assessors of every County in the State, with the exception of Santa Barbara, as follows :

|                         |                                         |
|-------------------------|-----------------------------------------|
| D. S. Lacy.....         | County Assessor of Alameda County,      |
| H. A. Eichelberger..... | County Assessor of Amador County,       |
| David Weaver.....       | County Assessor of Butte County,        |
| Chauncey Johnson.....   | County Assessor of Calaveras County,    |
| Frank Spalding.....     | County Assessor of Colusa County,       |
| John F. S. Smith.....   | County Assessor of Contra Costa County, |
| Solon Hall.....         | County Assessor of Del Norte County,    |
| Lewis Foster.....       | County Assessor of El Dorado County,    |
| John G. Simpson.....    | County Assessor of Fresno County,       |
| Jacob DeHaven.....      | County Assessor of Humboldt County,     |
| F. J. Coffin.....       | County Assessor of Klamath County,      |
| Juan Sepulveda.....     | County Assessor of Los Angeles County,  |
| Warren Dutton.....      | County Assessor of Marin County,        |
| James F. Jenkins.....   | County Assessor of Mariposa County,     |
| William C. Hoge.....    | County Assessor of Merced County,       |
| William E. Lovett.....  | County Assessor of Monterey County,     |
| A. Roney.....           | County Assessor of Napa County,         |
| Martin Brannan.....     | County Assessor of Nevada County,       |

|                             |                                            |
|-----------------------------|--------------------------------------------|
| J. W. Spann.....            | County Assessor of Placer County,          |
| John G. Corey.....          | County Assessor of Plumas County,          |
| E. B. Ryan.....             | County Assessor of Sacramento County,      |
| W. S. Morrow, (Deputy)..... | County Assessor of San Bernardino County,  |
| A. B. Smith.....            | County Assessor of San Diego County,       |
| C. R. Bond.....             | County Assessor of San Francisco County,   |
| H. Grissim.....             | County Assessor of San Joaquin County,     |
| Charles Varian.....         | County Assessor of San Luis Obispo County, |
| Charles E. Kelly.....       | County Assessor of San Mateo County,       |
| Wm H. Patton.....           | County Assessor of Santa Clara County,     |
| T. T. Tidball.....          | County Assessor of Santa Cruz County,      |
| William H. Angell.....      | County Assessor of Shasta County,          |
| A. J. McKinsey.....         | County Assessor of Sierra County,          |
| John S. Dudley.....         | County Assessor of Siskiyou County,        |
| Benj. H. Brown.....         | County Assessor of Solano County,          |
| N. Nuckalls.....            | County Assessor of Sonoma County,          |
| E. B. Beard.....            | County Assessor of Stanislaus County,      |
| D. E. Hamblen.....          | County Assessor of Sutter County,          |
| R. B. Loomis.....           | County Assessor of Tehama County,          |
| Henry Hart.....             | County Assessor of Trinity County,         |
| T. C. Hayes.....            | County Assessor of Tulare County,          |
| R. B. Robinson.....         | County Assessor of Tuolumne County,        |
| James McCauley.....         | County Assessor of Yolo County,            |
| Joel D. Martin.....         | County Assessor of Yuba County.            |

These will be found in the Appendix, and contain a great deal of very valuable information.

There have been received this year, reports from :

|                         |                                          |
|-------------------------|------------------------------------------|
| James T. Stratten.....  | County Surveyor of Alameda County,       |
| Daniel Small.....       | County Surveyor of Contra Costa County,  |
| E. W. Welton.....       | County Surveyor of El Dorado County,     |
| A. D. Eastroot.....     | County Surveyor of Marin County,         |
| Nathaniel Squibb .....  | County Surveyor of Napa County,          |
| James H. Whitlock. .... | County Surveyor of Plumas County,        |
| Phil E. Drescher. ....  | County Surveyor of Sutter County,        |
| John B. Wood.....       | County Surveyor of Sonoma County,        |
| Duncan Beaumont.....    | County Surveyor of San Joaquin County,   |
| Charles T. Healy.....   | County Surveyor of Santa Clara County,   |
| I. E. James.....        | County Surveyor of Sierra County,        |
| G. R. Turner.....       | County Surveyor of San Francisco County, |
| Alex. Garbi.....        | County Surveyor of San Mateo County.     |

Some of these reports are also very full, and contain information of much interest to the State at large. They will also be found in the Appendix.



## STATE LAND OFFICE.

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The Act creating a State Land Office imposed new and arduous duties upon the Surveyor-General.

It was known that the landed interests of the State were in great confusion. Various Acts had been passed, authorizing the sale of both the swamp and the school lands, but, from the fact that no one officer had been intrusted with the care and management of the same, both the purchaser and State were daily suffering, from the uncertain and complicated proceedings necessary to acquire title. Lands to which the State had no title, had been sold by her agents; other lands, undoubtedly her property, had been disposed of by the General Government. In some instances, title for the same tract of land had been issued to two purchasers. Neither the number of acres sold, nor the amount paid for the same, could be arrived at, from the fact that no officer possessed the requisite information. Since my appointment as Register, I have diligently striven to overcome these evils, and bring order out of chaos. My success has not been great as I could have wished. I have been very much cramped, from the lack of a proper clerical force. It was supposed, by the Legislature last year, that the fee of three dollars for each certificate of purchase would enable me to pay the clerks necessary to perform the duties of the office. These fees for the year amounted to \$798. The duties of the Land Office required the services of three clerks. During the last six months, I have always had one employed—sometimes three. The fees would not properly pay the salary of one.

It will be readily seen the disadvantages under which I have labored. One unacquainted with the duties of a Land Office can scarce realize the amount of labor required to perform its duties.

During the past year we have sold nearly the whole of the five hundred thousand acre grant, and the seminary lands; also, some ninety thousand acres of swamp land. With the money furnished by you I purchased about one hundred United States Township plats, and, from the contingent fund of my office, about twenty more. These have all been copied, tracing-linen, and transmitted to the Surveyors of the various Counties.

Nearly one-half of the time of myself or Clerk has been occupied in giving information to parties desirous of purchasing lands, or to those who, having purchased, and fearing that the titles they had derived from the State were imperfect, wished the opinion of the Office in relation to the proper mode of perfecting the same.

The law requires the Register to decide to whom the certificate of purchase shall be issued, when there are conflicting claimants to the land. These contests, about thirty in number, have taken up a large portion of my time. The land in dispute oftentimes did not amount to ten acres,



## STATISTICAL NOTES.

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### ALAMEDA COUNTY.

The Statistical Report shows a considerable increase in the amount of land cultivated. During the past year, there has been established a steam starch-factory, with a capacity of making fifty tons per annum.

### AMADOR COUNTY.

There are in successful operation in this County one iron-foundry, one tannery, three soda-factories, four breweries, and three lime-kilns. A quarry has been opened, near Volcano, furnishing a very superior quality of marble.

### BUTTE COUNTY.

There has been no increase in the agricultural products of this County during the past year. There are two flouring, and seventeen saw-mills. The value of the lumber manufactured by the latter is estimated at five hundred thousand dollars. Also, nine quartz-mills, value, sixty thousand dollars.

### CALAVERAS COUNTY.

There are eleven saw-mills in this County, producing lumber to the value of one thousand five hundred and ninety-three dollars per diem. There are also two iron-foundries, four soda-factories, one tannery, fifty-three quartz-mills. Total value of the latter, two hundred and eight thousand dollars.

### EL DORADO COUNTY.

There has been quite an increase in the agricultural products of this County during the past year. Of manufactures, there are two iron-foundries, two tanneries, three soda-factories, twelve breweries, forty-one saw-mills, twenty-one quartz-mills, and two telegraph lines.



## MONTEREY COUNTY.

Much attention has been paid to stock-raising, and the breeds improved by the importation of choice stock. Whale-fishing has become a business of some importance on the coast. The amount of oil secured, for the fishing season of three months, is about fifteen hundred barrels, the value of which is sixty cents per gallon. The stone-quarries at Carmel furnish employment for sixty men. Attempts to procure water, by means of Artesian wells, have recently been made, in the vicinity of San Juan, which have proved successful.

## HUMBOLDT COUNTY.

There are nine saw-mills in this County, furnishing about twenty-five million feet of lumber per annum.

## FRESNO COUNTY.

The agricultural resources of this County have been greatly retarded by the drought. There is a large amount of swamp land, susceptible of reclamation. During the past year, the San Joaquin River has been navigated by a steamer, of one hundred tons, up to the Tulare Slough.

## SACRAMENTO COUNTY.

There are six breweries, manufacturing four hundred and ten thousand eight hundred gallons of beer per annum; three iron-foundries, two potteries, one gas-works.

## SAN FRANCISCO COUNTY.

There are eighteen breweries, thirteen brick-yards, employing one hundred and fifty men, seven machine-shops and foundries; iron cast per annum, two thousand tons; wrought-iron used, six hundred tons; two broom-factories, and one sugar-refinery.

# APPENDIX.



# REPORTS OF COUNTY SURVEYORS.

## PLUMAS COUNTY.

JAMES H. WHITLOCK.....COUNTY SURVEYOR.

MEADOW VALLEY, Plumas County, }  
November 7, 1858.

HON. H. A. HIGLEY:

DEAR SIR:—In accordance with the requirements of law, I now offer you the following, as my report for 1858:

Plumas is a mountain county, and has no Government surveys in it; and, as a consequence, my official duties are somewhat limited. The agricultural interest of our County is yet in its incipency. The Assessor reports seventeen thousand four hundred and twenty acres of land, claimed for agricultural purposes. My book of record of surveys of possessory claims shows as follows:

|                                                     |              |
|-----------------------------------------------------|--------------|
| Surveyed by J. T. Taylor, as County Surveyor.....   | 2,544 acres  |
| Surveyed by J. C. Church, as County Surveyor.....   | 5,866 acres  |
| Surveyed by J. H. Whitlock, as County Surveyor..... | 13,628 acres |
| Making, in the aggregate.....                       | 22,038 acres |

There have also been surveyed by the County Surveyor of Butte County, before Plumas was organized, in the valleys in this County, about two thousand acres, also about an equal amount claimed without survey, making the whole twenty-six thousand and thirty-eight acres. Of this amount a great deal has been claimed for grazing purposes, milling, hotels on roads, and some abandoned, and a number of other obstacles in the way to prevent the Assessor's obtaining a full report of all the land taken up, according to the Possessory Law.

Honey Lake Valley is not included in this estimate. The citizens there refuse to be governed by the Possessory Laws of this State. In my last year's report I gave a table, purporting to show about the amount of swamp and overflowed, arable, and grazing land, in the County. That table, although considered at that time, by most persons, too large, I am well satisfied was entirely too small. Big Meadows, alone, must contain at least two hundred and twenty-five thousand acres of grazing land, but as I have no means of giving this table correctly, I will omit it this year. From the junction of the two branches of Feather River, in Big Mead-

ows, to Lassen's Buttes, a distance of probably fifty miles, is one continuous beautiful meadow, varying in width from a half mile to five miles, and covered, during the Summer and Fall months, with a most luxuriant growth of clover and grass. From Lassen's Buttes you may travel, in a south-easterly direction, towards Honey Lake, Beckworth's, and Carson Valleys, for a distance of probably two hundred miles, and find large, fertile valleys all the way—separated, in most instances, only by low hills. A large portion of these lands are, or of right ought to be, the property of the State, as they "need the aid of artificial drains, or embankments, to make them available." In the lower end of the Big Meadows, for instance, there are about two thousand acres of land covered with a luxuriant growth of grass, late in the Fall, which is so nearly on a level with the river that a rise of the water four inches will cover the whole of it, and make it a pond, or swamp. Near the lower end of this land the river goes over a ledge of rocks, and falls about thirty feet, in about one hundred and fifty feet horizontal. A comparatively trifling expense would drain this whole tract, which, at present, is inhabited only by snakes, fish, and winged animals. I find, from conversation with the citizens, that a large number of them would be willing to drain these lands, provided they could procure a good title to them. I believe a very large amount of swamp and overflowed land might be secured to the State in this County by establishing a meridian-line, or starting-point, by high peaks, or other immovable objects, in sight of the valley where such survey is to be made. I would not recommend a survey, however, in any except those valleys where there would be no probability of its ever interfering with the mining interest, as I consider the mining interest first of all the industrial pursuits in this County.

On the south side of the Big Meadows there is a spring that runs a stream of water ten rods wide and three feet deep, on a grade of about forty inches per mile. There is also a number of springs of immense size all around the edge of the valley. We have also a number of sulphur and soda springs in different parts of the County.

*County Boundaries.*—I will next call your attention to the situation of our County boundaries. Almost the entire line between Butte and Plumas is through a mining district that is settling up very fast, and I would therefore recommend its survey at an early day. The Board of Supervisors of this County have made an order for the survey of this line by the County Surveyors, but Butte County has never made a corresponding order. The line is straight, and will probably have to be surveyed through and corrected back. The line between this and Sierra is also very indefinite, and should be established by survey; but I would call your attention more particularly to the State line bounding this County on the east, as I consider it of more importance than either of the others. Honey Lake Valley is already a place of considerable importance, and rapidly increasing in population and wealth, and is situated near this line. Its citizens are of opinion that they are situated east of the boundary-line of the State, and refuse to pay taxes, or yield submission in any shape to our laws, until the line shall be established. They usually take up six hundred and forty acres for a possessory claim. It is my opinion, (though I express it with some doubt nowadays,) that the entire settlement is in the State. If so, the establishing of a single point at or near the Lake would be sufficient for the present, and the taxes, for a single year, would pay all expenses. The citizens all declare their willingness to submit to the laws of the State, if satisfactory evidence is given them that they are within its jurisdiction.



The distance of County line necessary to be surveyed prior to the year 1860, will probably be one hundred and fifty miles, and the probable expense, twenty dollars per mile. The survey of fifty miles would do, for the present, the eastern line and the line bounding this County on the south and Butte on the north.

*Roads.*—Our citizens are just beginning to pay some attention to the importance of good roads. We have two turnpike roads completed; one six and three quarter miles long—the other twenty-two and a half miles, (the latter incorrectly reported by the Assessor thirty-four miles.) I have surveyed two more: one, from Quincy to Meadow Valley, seven and a quarter miles—and one from Quincy to Mohawk Flat, twenty-two and a half miles. The Government Road, terminating at this end of Honey Lake, can be extended through this County by way of Big Meadows and Humbug Valley—arriving at the Sacramento Valley at or near Bidwell's Ranch—cheaper than perhaps any other route across the Sierra Nevadas in the State, as there is already a good practical Wagon-Road all the way through. This road passes near the centre of the territory of Plumas County, but there is perhaps not half a dozen white men North of the road in the County. I would recommend the County Surveyors to be appointed by law as Road Supervisors for their respective Counties, they being better qualified to locate roads—both by profession and experience—than other persons; and that they be allowed a per diem for their services, to be fixed by the Board of Supervisors of each County, and paid only while in the discharge of said duties.

*Mining.*—Mining is the predominant interest of our County, and is fast increasing in importance. Heretofore, it has been mostly confined to bars on the rivers, gulches, and other places where claims could be opened with a light expense, but our miners are now beginning to tunnel into the bowels of the mountains on an extensive scale, and in some places with flattering success. It is believed that the celebrated Blue Lead runs through our County, and I think there is good evidence in support of this opinion, as the richest mining localities in the County seem to run, not exactly in a straight line, but in one general direction, having the appearance of a lead or channel, and connecting with the Blue Lead in Sierra County. Its general bearing through this county is: starting from Union Valley, N. 35° W., to Rich Bar, on the East branch of the North Fork of Feather River. This lead seems to have been cut into by Poor Man's Creek, Dixon Creek, the Middle Fork of Feather River at Rich Bar, and the east branch of the North Fork of Feather River, at Rich Bar. I do not believe, however, that this lead can be traced by any geological or mineralogical formations, as the whole country seems to be of a secondary or tertiary formation. There is but very little, if any, genuine granite bed-rock in this County.

There has never been any location of School-land Warrants in this County.

Quincy is situated in the American Valley, is the County Seat, and the largest town in the County. It affords one press, issuing a weekly paper called "The Plumas Argus."

For statistical information, I refer you to the Assessor's Report, as being correct.

Yours, respectfully,

JAMES H. WHITLOCK,  
County Surveyor of Plumas County.



## SAN JOAQUIN COUNTY.

DUNCAN BEAUMONT.....COUNTY SURVEYOR.

COUNTY SURVEYOR'S OFFICE, SAN JOAQUIN COUNTY, }  
Stockton, November 10th, 1858. }HON. H. A. HIGLEY, *State Surveyor-General*:

SIR:—In accordance with the Act concerning County Surveyors, I respectfully submit the following report:

The Assessor, from the nature of his duties, being evidently better calculated to furnish you with more reliable information on most of the subjects mentioned in your circular than I am, I therefore refer you to his report for the statistics of the County.

*Ferries and Toll-Bridges.*—There are in this County six toll-bridges and six ferries.

*Artesian Wells.*—There is but one Artesian well in this county. This is bored to the depth of one thousand and two feet, at a cost of ten thousand dollars, and furnishes two hundred and fifty gallons of water per minute. It has as yet been put to no practical use.

*County Roads.*—The roads in this County are under the supervision of the County Supervisors, and are generally in very bad condition. The Act passed, during the last session of the Legislature, declaring all roads which had been traveled one year previous to its passage to be County roads, is working very badly, as there were too many roads before, and not money enough in the Road Fund to place any of them in proper condition. Having about twice as many roads under the present system, and only the same amount of money to be expended on them, the consequence is, that no road can be properly improved, and the money expended is thrown away.

*County Boundaries.*—I would recommend that the boundaries of this County be altered, so as to conform to the U. S. surveys—either on township or section-lines, except that part bounded by the Stanislaus, San Joaquin, and Mokelumne Rivers. In order to make this survey, about one hundred and ten miles would have to be run.

*Area of the County.*—This County embraces about one thousand four hundred and fifty-two square miles, of which one thousand and thirty are upland, and four hundred and twenty-two square miles are swamp or overflowed lands. Of the upland three hundred and sixty-nine square miles are covered by Spanish grants, and thirty square miles are mineral lands.

*Swamp Land Surveys.*—I have made ninety-six surveys of swamp or overflowed land, under the Act approved April 28th, 1855, and five surveys under the Act approved April 21st, 1858, embracing twenty-three thousand acres. Thirty of these surveys have been forfeited, and twenty-one are re-surveys of land which had been forfeited.

I would call your attention particularly to the large amount of swamp or overflowed land in this County, which is lying idle, and must continue so until they are owned by private individuals. These lands were donated to the State for their reclamation. Nothing can be done to effect this until the State relinquishes her title to them. Under the Act passed April 28th, 1855, (which was a very liberal one,) all of the most desirable of these lands were located, and almost all could have been located under

that Act by this time, had it not been repealed. The Act approved April 21st, 1858, has operated very much to the detriment of the State, as the returns of the Swamp Land Surveys from this office, since its passage, will prove. This law should be repealed, or so modified that inducements could be offered to individuals or capitalists to purchase and reclaim them as soon as possible. It is a great mistake to limit one person to three hundred and twenty acres. When these lands are reclaimed, it must be done by large bodies, and by men of capital. There is no use to legislate as to the amount of land which any one person shall have. If capitalists want land they will find a way to get it. The only effect these restrictive laws have is to retard the improvement of the country.

I am convinced that if the State would relinquish her title to these lands to settlers or capitalists for a fair consideration, but a short time would elapse before the largest portion of them would be located and permanently reclaimed from the waters of the San Joaquin, Calaveras, and Mokelumne Rivers, thus greatly increasing the taxable property of the County and State, as well as at the same time increasing in our midst a community having a permanent home and interest among us. This land is of unsurpassable fertility, and when once reclaimed will furnish constant and remunerative employment for a larger number of inhabitants than all the balance of the County. In your instructions to County Surveyors they are required to submit to you plans and estimates of the cost of the reclamation of swamp land. This can not be done without an extended survey both with compass and level, requiring a heavy outlay of time, money, and labor, for which no remuneration is made.

The overflow caused by the Winter rains and melting of the snows in the Spring, can be remedied by the construction of proper levees on the banks of the rivers, and large sloughs of sufficient height and strength to withstand any rise in the rivers, and, in connection with these, catch-water drains at the edge of the upland to carry the rain water from the plains into the main channels. The water which would be collected within the embankment during the rainy season, and seepage water, must be removed by machinery. Lands which are overflowed by the tides only, can be easily reclaimed by a general system of drains and embankments.

These lands, in their present condition, are as little known to the people of this State as the Territory of New Mexico. None except a few hunters have explored them, and it is not to their interest to have them settled.

In order to arrive at any correct knowledge of them, or any practicable plan for their reclamation, I would recommend that they be townshipped and subdivided after the manner of the United States surveys, and subject to location in the State Register's office. The expenses of the survey to be paid out of the Swamp Land Fund, or scrip issued from that fund. In this manner a correct map could be made of the whole of it, and correct estimates made of the cost of reclamation.

For the purpose of showing that the reclamation of these lands is perfectly feasible, not only of marshes, but even of extensive lakes, in such manner as to repay, from the land reclaimed, the expenses of the process, I make an extract from the account of the draining of Haerlem Lake, published in the Agricultural Report of the Patent Office for 1855.

This Lake was situated in North Holland and covered forty thousand acres, being thirty-three miles in circumference. *Its bed was more than thirteen feet below the lowest tide* (the largest portion of the overflowed land in this County is not more than twelve inches under water at the

highest tide) of the Bay into which it emptied. Such it was in 1839. Now no lake is to be found, but in its place in October, 1855, what had been the bed of a great lake, was then a region of exceedingly fertile land, in a fine state of cultivation, dry, comfortable, and healthy. A population of about two thousand were living within the "Polder," or tract of land below the level of the sea. This work was performed by the government at the expense of eighty dollars per acre. A canal about one hundred and forty feet in width, nine and a half feet deep, and forty miles in length, was cut round the lake. A dyke was built between the the canal and lake, and when all was completed, the water of the lake was pumped out by steam-engines, which are still kept in readiness to remove the rain or melted snows or any surplus water that may, by leakage or breaking away of the works, endanger the security of the inhabitants.

It is estimated that the land thus rescued from the sea is of twice the average value for cultivation of that of Holland generally, there being no waste land in the tract, except that occupied by the canals and drains.

The price of the best lands in this State ranges from fifteen dollars to seventy-five dollars per acre.

The Swamp Lands can be reclaimed at a cost not exceeding thirty dollars per acre, and will then be of double the value of any other lands in the State.

*School-land Warrants.*—I subjoin a list of School-land Warrants, located and floated by the County Surveyors, since the organization of this County:

| Nos. of Warrants.    | No. Acres for which Warra'ts issued. | No. Acres. | Date of Location. | For whom Located.             |
|----------------------|--------------------------------------|------------|-------------------|-------------------------------|
| 1852.                |                                      |            |                   |                               |
| 63, 64, 65, 66.....  | each for 160                         | 640        | June 17.....      | Myron Hutchinson.             |
| *31.....             | ... 320                              | 320        | June 23.....      | Jno. McNish and A. F. Rudler. |
| 142, 143, 144, 145.  | ... 160                              | 640        | June 25.....      | Albert Williams.              |
| 9.....               | ... 320                              | 320        | July 3.....       | O. B. Taylor.                 |
| No. not given....    | ... 320                              | 320        | June 12.....      | Emanuel Linoberg.             |
| 8.....               | ... 320                              | 320        | July 1.....       | A. C. Baine.                  |
| 50.....              | ... 320                              | 320        | August 22....     | John S. Williams.             |
| 1.....               | ... 320                              | 320        | August 9.....     | G. W. Trahern.                |
| 2.....               | ... 320                              | 320        | September 11      | G. W. Trahern.                |
| 268, 271, 281, 282.. | ... 160                              | 640        | September 27      | E. H. Comstock.               |
| 43.....              | ... 320                              | 320        | November 17       | John C. Edwards.              |
| 287, 288.....        | ... 160                              | 320        | November 24       | J. L. Carnduff.               |
| 46.....              | ... 320                              | 320        | November 2..      | William M. Vance.             |
| 1853.                |                                      |            |                   |                               |
| 396, 397.....        | ... 160                              | 320        | February 8...     | Wm. F. McDermott.             |
| 137.....             | ... 320                              | 320        | February 12..     | William Calvert.              |
| 174.....             | ... 320                              | 320        | March 14.....     | Henry Howland.                |
| 173.....             | ... 320                              | 320        | March 14.....     | J. D. Hamilton.               |
| 507, 508.....        | ... 160                              | 320        | March 24.....     | John Rich.                    |
| 577, 578.....        | ... 160                              | 320        | May 13.....       | Christian Reist.              |

\* Located on Spanish grant, and Warrant returned to Washington.

| Nos. of Warrants.   | No. Acres for<br>which Warra'ts<br>issued. | No. Acres. | Date of Location. | For whom Located.           |
|---------------------|--------------------------------------------|------------|-------------------|-----------------------------|
| *577, 578.....      | each for 160                               | 320        | July 21.....      | Christian Reist.            |
| 525, 526.....       | ... 160                                    | 320        | July 28.....      | T. R. Bours.                |
| 523, 524.....       | ... 160                                    | 320        | August 10....     | B. W. Bours.                |
| 240, 241.....       | ... 320                                    | 640        | August 10....     | A. L. Bours.                |
| 589.....            | ... 160                                    | 160        | August 16....     | Madison Walthall.           |
| 587.....            | ... 160                                    | 160        | August 16....     | Madison Walthall, jr.       |
| 588.....            | ... 160                                    | 160        | August 16....     | Elizabeth Walthall.         |
| 226.....            | ... 320                                    | 320        | July 25.....      | William Barnett.            |
| †762, 763, 764..... | ... 160                                    | 480        | October 21...     | R. C. Sargeant.             |
| 799, 800, 801, 802. | ... 160                                    | 640        | November 1...     | J. P. Treadway.             |
| 314.....            | ... 320                                    | 320        | October 17...     | John McMullen.              |
| 269.....            | ... 320                                    | 320        | October 17...     | J. Gancey.                  |
| ‡ .....             | ... 320                                    | 320        | October 17...     | G. W. Trahern.              |
| ‡21.....            | ... 160                                    | 160        | October 17...     | John McMullen.              |
| 797, 798.....       | ... 160                                    | 320        | November 17       | R. P. Ashe.                 |
| †63, 64, 65, 66.... | ... 160                                    | 640        | December 29       | Myron Hutchinson.           |
| 301.....            | ... 320                                    | 320        | December 26       | R. K. Reid.                 |
|                     |                                            | 1854.      |                   |                             |
| 462, 702, 703.....  | ... 160                                    | 480        | May 26.....       | Nelson Taylor.              |
| 242.....            | ... 320                                    | 320        | August 8.....     | William M. Ryer.            |
| 66.....             | ... 320                                    | 320        | October 21...     | J. H. Cole.                 |
| 63.....             | ... 320                                    | 320        | November 14       | D. S. Terry.                |
|                     |                                            | 1855.      |                   |                             |
| †50 .....           | ... 320                                    | 320        | July 12.....      | J. S. Williams.             |
| †396, 397.....      | ... 160                                    | 320        | July 13.....      | W. F. McDermott.            |
| 707, 708.....       | ... 160                                    | 320        | July 16.....      | R. P. Ashe.                 |
| †797, 798.....      | ... 160                                    | 320        | July 16.....      | R. P. Ashe.                 |
|                     |                                            | 1856.      |                   |                             |
| †776.....           | ... 160                                    | 160        | June 30.....      | R. C. Sargeant.             |
| 317, 319.....       | ... 320                                    | 640        | June 30.....      | B. V. Sargeant.             |
| 318.....            | ... 320                                    | } 480      | June 30.....      | J. L. Sargeant.             |
| 716.....            | ... 160                                    |            | June 30.....      | J. P. Sargeant.             |
| 714.....            | ... 160                                    |            | February 16..     | Alden Daly.                 |
| 72, 454.....        | ... 160                                    |            | 1857.             |                             |
| 65, 66.....         | ... 160                                    | 320        | May 21.....       | J. H. Cole and J. H. Dodge. |
| 301, 302.....       | ... 160                                    | 320        | September 19      | David Haskell.              |
|                     |                                            | 1858.      |                   |                             |
| { \$763, 764.....   | ... 160                                    | 320        | February 6....    | I. U. Castle.               |
| { 762, 766.....     | ... 160                                    | 320        | February 11..     | Rudolph Meyer.              |

\* Floated and re-located.

† Floated.

‡ Re-locations.

§ Same Warrants located and floated by R. C. Sargeant.

Very respectfully, your obedient servant,

DUNCAN BEAUMONT,

County Surveyor of San Joaquin County.



## SONOMA AND MENDOCINO COUNTIES.

JOHN B. WOOD.....SURVEYOR.

HON. HORACE A. HIGLEY, *Surveyor-General of the State of California* :

Sir: In compliance with law, and in obedience to your instructions, I beg leave to make this, my annual report, as County Surveyor of Sonoma and Mendocino Counties, for the year A. D. 1858. The County Assessor having made a full return to your office, it will be unnecessary for me to embody in my report the agricultural statistics otherwise required.

*Lands.*—About one-third of all the lands in the two Counties is suitable for agriculture and tillage, one-half grazing, a small portion bordering on San Pablo Bay, Sonoma, Petaluma, and San Antonio Creeks, swamp and overflowed, and the remainder is covered with a thick undergrowth of brush or chaparral.

The United States surveys never having been completed, it is impossible to even approximate to the quantity of land embraced within our boundaries.

*Timber.*—From a point near the sea-coast, and about ten or fifteen miles south of Russian River, to the line of Humboldt, there is almost a continuous and dense forest of redwood, and fir timber; the same timber is likewise found on many of the hills, and in many of the cañons in the interior of the two Counties.

We have an abundance of white, black, and live oak, it being found on almost every hill, and in all the valleys. Much of it is suitable for ship timber, and two or three companies have been engaged the past year in getting it out for that purpose, under contract with the United States Government Agent at Mare Island.

A large proportion of the fire-wood used in the San Francisco market is sent from Sonoma County.

*Minerals.*—The mineral resources of this section of country have not yet been developed. There is hardly any place that the color of gold can not be found, and in some places, as much as ten cents to the pan has been washed out; but, up to this time, no gold-digging, of any extent, has been done. We have some gold-bearing quartz-veins, but they have never been opened, or properly prospected. Coal, said to be of good quality, has been found on Russian River, and near the city of Petaluma. One company has been organized, and commenced work on the Russian River vein, and as they progress the prospect is more promising. There are strong indications of coal in other places than those already discovered.

*Internal Improvements.*—There are three licensed ferries in the two Counties—two on Russian River, (one near Healdsburg, and one at its mouth,) and one on Albion River. The income from them is very small, being scarcely used, except in the Winter, and during high water.

A canal is much needed, and would greatly improve the navigation of Petaluma Creek. From the city of Petaluma to Rudesill's landing, (the present head of steamboat navigation,) it is about two and a-half miles by land, and about seven by water. Between the two points, the creek is so crooked that it is impossible, almost, for a vessel, of suitable size for the trade, to pass. By cutting off two or three bends, and putting in locks near Rudesill's landing, the creek would be nearly straight, and its navigation rendered easy, at any stage of the tide.

Estimates of the probable cost of straightening the creek, and putting

in the necessary locks between the points named, have been made, ranging from fifteen to twenty-five thousand dollars.

*County Boundaries.*—The boundary-line between Sonoma and Napa Counties should be re-surveyed, and determined. As it is, persons living near the supposed line are frequently assessed in both Counties. Many difficulties have grown out of it, in the service of civil processes, jurisdiction, etc., and it will continue to be so until the line is definitely fixed and marked. The line should be surveyed, and monuments placed along it at convenient distances. By so doing, much trouble will be avoided, and both Counties collect revenue that is now lost to them, by reason of the uncertain location of the boundary-line.

*School-land Warrants.*—First: Warrant No. 375, located in the east half of the south-east quarter of section No. 6, and the west half of the south-west quarter of section No. 5; the north-west quarter of section No. 8—containing, in all, three hundred and twenty acres—Township No. 8, north range No. 8 west from Monte Diablo meridian. Located on the fifteenth day of April, 1856, by William Mock, County Surveyor, for J. S. Ormsby.

Second: Warrant No. 68, located on the south-east quarter of section No. 15, and the north-east quarter of section No. 22, for three hundred and twenty acres—Township No. 6, north range No. 9 west from Monte Diablo meridian. Located on the fourteenth day of June, 1857, by Wm. Mock, County Surveyor, for George Campbell.

Third: Warrants numbered 163, for three hundred and twenty acres; 674, for one hundred and sixty acres; and 676, for one hundred and sixty acres—located on the following described lands: the south-east quarter of the south-east quarter of section No. 11; the south half of the south-west quarter of section No. 12; the south half of the south-east quarter of section No. 12; the west half of the north-east quarter of section No. 13; the north-west quarter of the south-east quarter of section No. 13; the north-west quarter and the south-west quarter of section No. 13—the whole containing six hundred and forty acres; Township No. 6, north range No. 10 west from the Monte Diablo meridian. Located on the thirtieth day of July, 1857, by William Mock, County Surveyor, for Thos. Roche.

Fourth: Warrants numbered 138, for one hundred and sixty acres; 139, for one hundred and sixty acres; 140, for one hundred and sixty acres; and 141, for one hundred and sixty acres—making, altogether, six hundred and forty acres—located on the following lands: No. 138, located on the south-west quarter section No. 32; 139, on the south-east quarter of section No. 31, Township No. 8, north range No. 7 west; No. 140, located on the north-east quarter of section No. 6; No. 141, located on the north-west quarter of section No. 5, township No. 7, north range No. 7 west of Monte Diablo meridian. Located on the third day of December, 1857, by John B. Wood, County Surveyor, for Emsley Elliot.

All of which is respectfully submitted.

JOHN B. WOOD,  
County Surveyor of Sonoma and Mendocino Counties.





# LIST OF WARRANTS LOCATED.



# LIST OF

## SCHOOL-LAND WARRANTS FOR 320 ACRES EACH.

| No of<br>warr't | Date of<br>Location. | To whom Issued.    | For whom Located.    | County.           |
|-----------------|----------------------|--------------------|----------------------|-------------------|
| †1              | July 15, '55         | .....              | G. W. Trahern.....   | San Joaquin....   |
| 2               | Sept. 11, '52        | G. W. Trahern..... | G. W. Trahern.....   | San Joaquin....   |
| 4               | June 22, ...         | N. Hitchcock ..... | N. Hitchcock .....   | El Dorado .....   |
| 5               | July 17, ...         | .....              | Oliver S. Colgrove.. | Sutter .....      |
| *6              | July 13, '53         | .....              | H. B. Davis.....     | Tuolumne .....    |
| *6              | Mar. 16, '58         | .....              | H. B. Davis.....     | Tuolumne .....    |
| 7               | July 13, '53         | .....              | H. B. Davis.....     | Tuolumne .....    |
| *7              | Mar. 16, '58         | .....              | H. B. Davis.....     | Tuolumne .....    |
| 8               | Sept. 1, '52         | .....              | A. L. Bain .....     | Tuolumne .....    |
| *8              | July 20, '57         | .....              | Geo. H. Castle ..... | San Joaquin....   |
| 9               | July 3, '52          | .....              | A. B. Taylor.....    | San Joaquin ...   |
| 9               | Nov. 17, '58         | .....              | Chas. M. Weber ....  | Santa Clara ....  |
| †12             | Aug. 19, '52         | .....              | Wm. J. White.....    | Klamath .....     |
| 27              | May 28, '56          | .....              | John D. Stephens..   | Yolo .....        |
| 28              | Sept. 9, '54         | E. M. Howison..... | Howison .....        | Tuolumne.....     |
| *28             | Mar. 6, '56          | .....              | Howison .....        | Tuolumne.....     |
| 29              | July 2, '52          | .....              | W. T. Cole .....     | Solano .....      |
| 30              | July 2, ...          | .....              | W. T. Cole .....     | Solano .....      |
| §31             | June 23, ...         | .....              | McNish & Rudler ...  | San Joaquin ...   |
| *31             | Ap'l 21, '55         | .....              | McNish & Rudler ...  | San Joaquin ...   |
| 33              | July 3, '52          | Wm. Curtis .....   | W. Curtis .....      | Nevada .....      |
| 34              | June 12, ...         | .....              | E. Linoberg .....    | San Joaquin....   |
| *34             | Dec. 18, '55         | .....              | McKaney & Kitchen    | San Joaquin....   |
| 35              | July 20, '52         | Julian Hanks ..... | J. Hanks.....        | Santa Clara ..... |
| 36              | Oct. 23, ...         | C. P. Hester ..... | Philip Biddle .....  | Santa Clara ..... |
| 37              | Ap'l 25, '53         | C. P. Hester.....  | C. P. Hester.....    | Santa Cruz.....   |
| *37             | Oct. 31, '57         | .....              | W. W. Allen ...      | Solano .....      |
| a38             | .....                | .....              | John Strenzall ....  | Mariposa .....    |
| *38             | Feb. 21, '56         | .....              | V. M. Peyton .....   | San Joaquin....   |
| 39              | Oct. 12, '52         | C. Meyer .....     | Chas. Meyer.....     | Mendocino .....   |
| 40              | Oct. 12, ...         | C. Meyer .....     | Chas. Meyer.....     | Mendocino .....   |

\* Final location in Register's Office at San Francisco.

† Final location in Register's Office at San Francisco;—Re-location; original returns not received.

‡ Returns received September 21, 1854.

§ Floated from Spanish grant.

a Informal returns received December 16, 1854.

| No of<br>warr't | Date of<br>Location. | To whom Issued.      | For whom Located.     | County.           |
|-----------------|----------------------|----------------------|-----------------------|-------------------|
| 42              | July 20, '52         | A. H. Morse .....    | Hastings & Morse...   | Solano .....      |
| 43              | Nov. 17, ...         | J. C. Edwards.....   | John C. Edwards...    | San Joaquin....   |
| *43             | Nov. 17, '57         | J. C. Edwards.....   | Yancy B. Stokes....   | Tulare .....      |
| 44              | Nov. 17, '52         | J. C. Edwards.....   | J. C. Edwards .....   | San Joaquin....   |
| *44             | Dec. 5, '57          | .....                | J. M. Montgomery..    | San Joaquin....   |
| †45             | Ap'l 7, '53          | Moulton .....        | Van Court .....       | Placer .....      |
| a46             | Oct. 23, '52         | .....                | W. M. Vance.....      | Calaveras.....    |
| 47              | Sept. 15, '55        | P. Dunlay .....      | J. B. Barlow .....    | Mendocino .....   |
| 47              | Aug. 20, '56         | P. Dunlay .....      | Eben Fascon .....     | Santa Clara ..... |
| 48              | Sept. 15, ...        | P. Dunlay .....      | J. B. Barlow .....    | Mendocino .....   |
| 48              | Sept. 23, ...        | .....                | J.H.&J.A.Blackburn    | Santa Clara ..... |
| *49             | Oct. 17, '55         | .....                | L. Alford .....       | Solano .....      |
| *50             | Mar. 21, '56         | J. S. Williams ..... | Jno. S. Williams....  | San Joaquin....   |
| 51              | Nov. 22, '52         | W. Skedmore .....    | W. Skedmore .....     | Marin .....       |
| 52              | Aug. 13, ...         | .....                | J. B. Cook .....      | Napa .....        |
| 53              | Aug. 16, ...         | .....                | H. H. Watson.....     | Yuba .....        |
| 54              | Oct. 12, '52         | William Bonity.....  | Wm. Bonity.....       | Mendocino .....   |
| 54              | Mar. 30, '58         | William Bonity.....  | E. L. Beard .....     | Alameda.....      |
| 55              | Mar. 31, '58         | .....                | Leonidas Haskell..    | Alameda.....      |
| *56             | Mar. 16, '55         | .....                | A. J. Clark .....     | Humboldt.....     |
| *57             | Jan. 25, '53         | Jonathan Clark.....  | W. S. Clark.....      | Trinity .....     |
| †58             | Aug. 19, '53         | Jonathan Clark.....  | Jonathan Clark.....   | Humboldt.....     |
| 59              | Sept. 25, '52        | .....                | M. Stuart.....        | Trinity .....     |
| *59             | May 15, '55          | .....                | R. M. Williams .....  | Humboldt.....     |
| 60              | Sept. 25, '52        | .....                | M. Stuart.....        | Trinity .....     |
| *60             | May 15, '55          | .....                | R. M. Williams .....  | Humboldt.....     |
| §61             | June 22, '55         | Osborn Cross.....    | G. F. Hooper & others | San Diego .....   |
| §62             | June 22, '55         | Osborn Cross.....    | G. F. Cooper & others | San Diego .....   |
| 63              | Sept. 15, '52        | A. G. Meiggs.....    | A. G. Meiggs.....     | Mendocino .....   |
| 63              | Nov. 4, '54          | .....                | D. S. Terry .....     | San Joaquin....   |
| 64              | Sept. 15, '52        | A. G. Meiggs.....    | A. G. Meiggs.....     | Mendocino .....   |
| *64             | Nov. 3, '55          | .....                | Ransom Ward.....      | Solano .....      |
| 65              | Sept. 15, '52        | .....                | J. G. Hubbell.....    | Mendocino .....   |
| 65              | Mar. 7, '57          | .....                | H. P. Gallagher.....  | Santa Clara ..... |
| 66              | Sept. 15, '52        | J. G. Hubbell .....  | .....                 | .....             |
| 66              | Oct. 20, '54         | J. G. Hubbell .....  | Jos. H. Cole.....     | San Joaquin....   |
| 66              | June 22, '58         | J. G. Hubbell .....  | R. C. Sargent.....    | Santa Clara ..... |
| 67              | Sept. 15, '52        | L. Williams.....     | .....                 | Mendocino .....   |
| 67              | May 28, '57          | .....                | Lewis Rose.....       | San Diego.....    |
| 68              | Sept. 15, '52        | E. Williams .....    | .....                 | Mendocino .....   |
| 68              | June 15, '57         | .....                | Geo. Campbell.....    | Sonoma.....       |
| 69              | Sept. 15, '52        | H. Meiggs.....       | .....                 | Mendocino .....   |
| *69             | Aug. 28, '56         | .....                | A. Elkins.....        | Stanislaus.....   |
| 70              | Sept. 15, '52        | H. Meiggs.....       | .....                 | Mendocino .....   |
| \|\|70              | Nov. 18, '56         | H. Meiggs.....       | Andrew Jelly.....     | Mendocino .....   |
| 71              | Sept. 15, '52        | C. Gilchrist.....    | .....                 | Mendocino .....   |

\* Final location in U. S. Register's Office at San Francisco.

† Final location in U. S. Register's Office at Marysville.

‡ Final location in U. S. Register's Office at Marysville, April 16, 1856.....a March 10, 1856.

§ Final location in U. S. Register's Office at Los Angeles.

|| Final location in U. S. Register's Office at Marysville, Nov. 22, 1856.

| No. of<br>warr't | Date of<br>Location. | To whom Issued.     | For whom Located.    | County.          |
|------------------|----------------------|---------------------|----------------------|------------------|
| a71              | Oct. 15, '54         | C. Gilchrist.....   | Jas. Redmond.....    | Alameda .....    |
| *71              | Dec. 10, '55         | .....               | W. G. Barfield.....  | Merced .....     |
| 72               | Sept. 15, '52        | C. Gilchrist.....   | .....                | Mendocino .....  |
| †72              | Mar. 18, '57         | .....               | .....                | .....            |
| 73               | Sept. 21, '52        | J. C. Palmer.....   | G. P. Johnston.....  | Contra Costa...  |
| †73              | Sept. 20, '58        | .....               | John McMullen.....   | San Joaquin....  |
| 74               | Sept. 21, '52        | J. C. Palmer .....  | G. P. Johnston.....  | Contra Costa...  |
| 75               | Sept. 21, '52        | Edward Johns.....   | G. P. Johnston ..... | Contra Costa...  |
| 75               | Feb. 26, '57         | Edward Johns.....   | T. G. Neville.....   | Santa Clara..... |
| \|\|76               | Sept. 21, '52        | Edward Johns.....   | G. P. Johnston.....  | Contra Costa...  |
| 77               | Sept. 7, '52         | .....               | Long & Coddington    | Tulare.....      |
| 78               | Sept. 7, '52         | .....               | Jones & Robedo.....  | Tulare.....      |
| 82               | Oct. 28, '52         | .....               | Geo. Yount.....      | Napa .....       |
| 82               | Feb. 22, '58         | .....               | Geo. Yount.....      | Napa .....       |
| 83               | Nov. 20, '52         | .....               | W. Skidmore.....     | Marin .....      |
| *84              | Dec. 1, '52          | .....               | John W. Laird.....   | Tuolumne .....   |
| *85              | Dec. 1, ...          | .....               | John W. Laird.....   | Tuolumne .....   |
| 86               | Nov. 4, '52          | J. S. Stark .....   | J. S. Stark .....    | Napa .....       |
| 87               | Jan. 4, '53          | F. Kitteridge.....  | Jas. Williams .....  | Santa Cruz.....  |
| 88               | Jan. 25, ...         | J. Burney.....      | S. C. Hastings.....  | Solano .....     |
| 88               | Jan. 14, ...         | .....               | S. Bynum.....        | Napa .....       |
| 89               | Nov. 5, '52          | S. C. Hastings..... | S. C. Hastings.....  | Solano.....      |
| *90              | Jan. 8, '56          | .....               | E. Packwood.....     | Tulare.....      |
| *92              | Jan. 8, ...          | .....               | Elisha Packwood...   | Tulare.....      |
| *93              | Jan. 8, ...          | .....               | Elisha Packwood...   | Tulare.....      |
| †96              | April 28, ...        | .....               | .....                | .....            |
| †97              | April 28, ...        | .....               | .....                | .....            |
| 98               | Jan. 25, '53         | Fleming & Tilghman  | W. D. Niles.....     | Solano .....     |
| 98               | June 22, '58         | .....               | R. S. Carlisle.....  | Santa Clara....  |
| §99              | May 29, '56          | C. P. Hester.....   | C. P. Hester.....    | Santa Clara....  |
| 100              | Nov. 18, '52         | .....               | Philip Palmer.....   | Solano .....     |
| 101              | Nov. 18, '52         | .....               | Philip Palmer.....   | Solano.....      |
| 102              | Dec. 11, ...         | Aug. W. Hale.....   | Aug. W. Hale.....    | Calaveras.....   |
| 103              | Dec. 11, ...         | Aug. W. Hale.....   | Aug. W. Hale.....    | Calaveras.....   |
| 104              | Dec. 11, ...         | T. N. Luning.....   | T. N. Luning.....    | Calaveras.....   |
| 105              | Nov. 29, ...         | G. W. Cooke.....    | G. W. Cooke.....     | Solano.....      |
| *105             | Sept. 23, '55        | .....               | E. J. Stearns.....   | Merced .....     |
| 106              | Nov. 29, ...         | G. W. Cooke.....    | G. W. Cooke.....     | Solano.....      |
| *106             | Sept. 23, '55        | .....               | E. J. Stearns.....   | Merced .....     |
| 107              | Dec. 8, '52          | H. B. Jones.....    | H. B. Jones.....     | Solano.....      |
| *107             | Sept. 23, '55        | .....               | E. J. Stearns.....   | Merced .....     |
| 108              | Dec. 11, '52         | J. B. Devoe.....    | Thos. Fallon.....    | Santa Cruz.....  |
| 109              | Dec. 2, ...          | T. J. Henley .....  | S. C. Hastings.....  | Solano.....      |
| 110              | Dec. 2, ...          | T. J. Henley .....  | S. C. Hastings.....  | Solano.....      |
| b111             | Dec. 12, ...         | M. D. Kirwan.....   | M. D. Kirwan.....    | Butte.....       |

\* Final location in U. S. Register's Office at San Francisco.

† Final location in U. S. Register's Office Marysville.

‡ Final location in U. S. Register's Office at Stockton.

§ Final location in U. S. Register's Office at Marysville, March 6, 1856.

|| Re-location.

a Does not conform to U. S. Survey.

b Final location in the U. S. Register's Office at Marysville, March 8, 1856.



| No. of<br>warr't | Date of<br>Location. | To whom Issued.     | For whom Located.    | County.          |
|------------------|----------------------|---------------------|----------------------|------------------|
| 113              | Dec. 22, '52         | Wm. Wood.....       | Chas. W. Cooke.....  | Contra Costa.... |
| 113              | Feb. 11, '56         | Wm. Wood.....       | W. H. Palmer.....    | Santa Clara..... |
| 114              | Dec. 22, '52         | Wm. Wood.....       | Chas. W. Cooke.....  | Contra Costa.... |
| 114              | Dec. 2, '56          | .....               | Demas Strong.. ....  | Sacramento.....  |
| 115              | Dec. 22, '52         | E. Bosqui.....      | Cooke & Jones.....   | Contra Costa.... |
| 115              | Mar. 16, '57         | .....               | Fred. Billings.....  | Colusa.....      |
| 116              | Dec. 22, '52         | E. Bosqui.....      | Cooke & Jones.....   | Contra Costa.... |
| §116             | Aug. 8, '53          | E. Bosqui.....      | A. Welsh.....        | San Francisco... |
| *116             | Nov. 10, '57         | E. Bosqui.....      | Thos. T. Hooper..... | Solano.....      |
| 117              | Dec. 8, '52          | W. D. Niles.....    | W. D. Niles.....     | Solano.....      |
| *117             | Apr. 27 '58          | .....               | G. E. Long.....      | Tulare.....      |
| 118              | Dec. 8, '52          | W. D. Niles.....    | W. D. Niles.....     | Solano.....      |
| †118             | Sept 20, '58         | .....               | John McMullen.....   | San Joaquin..... |
| 119              | Dec. 8, '52          | E. B. Bonny.....    | E. B. Bonny.....     | Solano.....      |
| *119             | Feb. 17, '58         | .....               | J. D. & J. W. Mosley | Stanislaus.....  |
| 121              | Jan. 11, '53         | W. G. Malthus.....  | W. G. Malthus.....   | Solano.....      |
| 122              | Jan. 11, ...         | .....               | .....                | Solano.....      |
| §123             | Mar. 2, '53          | Thos. Dickey. ....  | Thos. McGeorge....   | San Francisco..  |
| 124              | Jan. 25, ...         | Fleming & Tilghman  | W. D. Niles.....     | Solano.....      |
| 124              | Aug. 2, '58          | Fleming & Tilghman  | W. S. Hollenbeck...  | Santa Clara..... |
| 125              | Jan. 22, '53         | A. S. Gould.....    | S. R. King.....      | Solano.....      |
| 125              | Apr. 14, '57         | A. S. Gould.....    | S. B. Emerson.....   | Santa Clara..... |
| 126              | Feb. 16, '53         | .....               | J. F. Wendell.....   | Klamath.....     |
| 127              | Jan. 25, ...         | C. Garvey.....      | C. Garvey.....       | Solano.....      |
| 128              | June 25, ...         | .....               | C. Garvey.....       | Solano.....      |
| 129              | June 15, ...         | S. Heydenfeldt..... | S. Heydenfeldt.....  | Solano.....      |
| 130              | June 15, ...         | S. Heydenfeldt..... | S. Heydenfeldt.....  | Solano.....      |
| *131             | Oct. 4, ...          | .....               | J. A. Givey.....     | Tulare.....      |
| 132              | Feb. 10, ...         | Sam. Purdy.....     | Sam'l Purdy.....     | Tuolumne.....    |
| *132             | Aug. 21, '57         | .....               | Geo. Bennett.....    | Calaveras.....   |
| 133              | June 20, '53         | Isaac Thomas.....   | I. Thomas.....       | Solano.....      |
| *134             | May 30, ...          | S. P. White.....    | Jonathan Clark.....  | Klamath.....     |
| 135              | Mar. 19, ...         | S. O. Houghton..... | S. O. Houghton.....  | Santa Clara..... |
| 136              | Mar. 19, ...         | S. O. Houghton..... | S. O. Houghton.....  | Santa Clara..... |
| 137              | Feb. 11, ...         | Wm. Calvert.....    | Wm. Calvert.....     | San Joaquin..... |
| *137             | May 8, '56           | .....               | Wm. D. Fullerton...  | San Joaquin..... |
| 138              | Apr. 18, '53         | E. Berri.....       | Felix Argenti.....   | San Francisco..  |
| *139             | Oct. 4, ...          | J. C. Dowding.....  | Jos. A. Livey.....   | Tulare.....      |
| *140             | Apr. 15, ...         | P. Wright.....      | Peter Wright.....    | Solano.....      |
| §141             | Aug. 29, ...         | Alex. Gwin.....     | Wm. Brown.....       | San Francisco... |
| 142              | July 6, ...          | Alex. Gwin.....     | P. Lambert.....      | Marin.....       |
| *142             | Dec. 11, '55         | .....               | M. Murphy.....       | .....            |
| 145              | Mar. 2, '53          | Shreve & Adams..... | Shreve & Adams.....  | Contra Costa.... |
| *145             | Oct. 3, '55          | .....               | Hiram Rust.....      | Solano.....      |
| 146              | Mar. 2, '53          | .....               | Shreve & Adams.....  | Contra Costa.... |
| *146             | Oct. 3, '55          | .....               | Hiram Rust.....      | Solano.....      |
| 147              | Mar. 27, '53         | G. Hammond.....     | G. Hammond.....      | Santa Cruz.....  |
| 147              | Mar. 31, '58         | .....               | Ed. Bosqui.....      | Alameda.....     |

\* Final location in the U. S. Register's Office at San Francisco.

† Final location in the U. S. Register's Office at Stockton.

‡ Informal.

| No. of<br>warr't | Date of<br>Location. | To whom Issued.     | For whom Located.     | County.         |
|------------------|----------------------|---------------------|-----------------------|-----------------|
| †148             | Mar. 15, '53         | .....               | Jesse Boring.....     | San Francisco.. |
| 149              | .....                | .....               | .....                 | .....           |
| 150              | Aug. 22, '54         | F. H. Spratt.....   | A. A. Ritchie.....    | Napa .....      |
| *150             | Nov. 2, '57          | .....               | F. H. Woods.....      | Solano.....     |
| 151              | Mar. 11, '53         | W. S. Hough.....    | W. S. Hough.....      | Santa Clara.... |
| 152              | Mar. 11, ...         | .....               | W. S. Hough.....      | Santa Clara.... |
| *153             | Sept. 4, '55         | .....               | Samuel Scott.....     | Merced .....    |
| 154              | Sept. 4, ...         | .....               | Samuel Scott.....     | Merced .....    |
| 155              | .....                | .....               | .....                 | .....           |
| 156              | April 2, '53         | R. C. Page.....     | R. C. Page.....       | Santa Clara.... |
| 156              | Mar. 28, '57         | .....               | L. F. Jarvis.....     | Tuolumne .....  |
| 157              | May 20, '53          | R. Hubbard.....     | R. Hubbard.....       | Solano.....     |
| 158              | July 14, ...         | M. A. Cavert.....   | M. A. Cavert.....     | Shasta .....    |
| †158             | Nov. 12, '58         | .....               | J. Granville Doll.... | Tehama .....    |
| 159              | April 1, '53         | J. H. Washington..  | J. Eldridge.....      | Santa Clara.... |
| 159              | Sept. 20, '56        | .....               | Henry Hancock....     | Los Angeles.... |
| 160              | April 1, '53         | J. H. Washington..  | J. Eldridge.....      | Santa Clara.... |
| 161              | April 11, ...        | C. Thorne.....      | Jonathan Clark....    | Klamath.....    |
| 161              | July 10, '54         | .....               | David W. Berry....    | Solano.....     |
| 162              | April 15, '53        | C. Thorne.....      | J. Hawkins.....       | Santa Clara.... |
| 163              | July 30, '57         | .....               | Thomas Roche.....     | Sonoma.....     |
| 164              | Mar. 10, '53         | J. Hawkins.....     | J. Hawkins.....       | Santa Clara.... |
| §164             | Oct. 16, '54         | .....               | Michael Murray....    | Alameda.....    |
| *165             | Mar. 9, '53          | J. A. Yell.....     | J. Lewis.....         | Santa Clara.... |
| 165              | Mar. 9, '55          | .....               | Anthony Fales.....    | Merced.....     |
| *166             | Mar. 9, '53          | J. A. Yell.....     | J. Lewis.....         | Santa Clara.... |
| 167              | April 10, ...        | T. G. Smith.....    | Jonathan Clark....    | Klamath.....    |
| *167             | May 15, '55          | .....               | Jonathan Clark....    | Klamath.....    |
| 168              | .....                | .....               | .....                 | .....           |
| 169              | .....                | .....               | .....                 | .....           |
| 170              | May 12, '53          | H. Eldridge.....    | C. Davis.....         | Santa Clara.... |
| †171             | May 3, ...           | H. Eldridge.....    | Heys, Welch & Rog's   | San Francisco.. |
| †171             | Mar. 30, '58         | .....               | E. L. Beard.....      | Alameda.....    |
| 172              | Jan. 30, '54         | J. Eldridge.....    | Benj. D. Wilson....   | Los Angeles.... |
| 172              | June 23, '57         | .....               | George F. Lamson..    | .....           |
| *173             | Mar. 6, '53          | J. D. Hamilton..... | J. D. Hamilton.....   | San Joaquin.... |
| *174             | Mar. 11, ...         | H. Howland.....     | H. Howland.....       | San Joaquin.... |
| 175              | Mar. 28, '53         | H. De Groot.....    | L. W. Newell.....     | Calaveras ..... |
| 176              | Sept. 4, ...         | E. W. Colt.....     | E. W. Colt.....       | Santa Clara.... |
| 176              | Nov. 18, '56         | E. W. Colt.....     | Andrew Jelly.....     | Tehama .....    |
| 177              | April 18, '53        | George Kerr.....    | F. Argenti.....       | San Francisco.. |
| 178              | April 18, ...        | George Kerr.....    | F. Argenti.....       | San Francisco.. |
| 179              | Oct. 9, '52          | .....               | S. C. Hastings.....   | Solano.....     |
| 179              | Mar. 14, '53         | L. E. Beardsley.... | Jesse Boring.....     | Santa Clara.... |
| *179             | Sept. 14, '55        | .....               | Charles A. Starr....  | Merced.....     |
| 180              | Nov. 5, '52          | .....               | S. C. Hastings.....   | Solano.....     |

\* Final location in Register's office at San Francisco.

† Final location in Register's office at Marysville, April 11, 1857.

‡ Informal.

§ Does not conform to U. S. Survey.

| No. of<br>warr't | Date of<br>Location. | To whom Issued.      | For whom Located.                 | County.          |
|------------------|----------------------|----------------------|-----------------------------------|------------------|
| 180              | Ap'l 20, '53         | J. M. Heard.....     | A. B. Lutz.....                   | El Dorado.....   |
| *181             | Oct. 9, '55          | .....                | James A. Neill.....               | Merced.....      |
| 182              | April 9, '53         | A. Sedgely.....      | Jonathan Clark.....               | Klamath.....     |
| *182             | Jan. 7, '56          | A. Sedgely.....      | Jonathan Clark.....               | .....            |
| *183             | Aug. 26, '53         | A. Sedgely.....      | Jonathan Clark.....               | Humboldt.....    |
| *184             | May 27, '54          | Thos. Schofield..... | Jonathan Clark.....               | Klamath.....     |
| *185             | May 29, '53          | Thos. Schofield..... | Jonathan Clark.....               | Klamath.....     |
| *186             | July 21, ...         | A. G. Abell.....     | Jonathan Clark.....               | Klamath.....     |
| *187             | July 21, ...         | A. G. Abell.....     | Jonathan Clark.....               | Klamath.....     |
| *188             | Ap'l 15, '53         | A. Kirkwood.....     | A. Kirkwood.....                  | Solano.....      |
| 189              | Mar. 23, '53         | D. K. Newell.....    | D. K. Newell.....                 | Sacramento.....  |
| 190              | Mar. 23, ...         | D. K. Newell.....    | D. K. Newell.....                 | Sacramento.....  |
| 191              | Mar. 18, ...         | D. M. Berry.....     | D. M. Berry.....                  | Solano.....      |
| 192              | Mar. 22, ...         | J. P. Long.....      | J. P. Long.....                   | Solano.....      |
| *192             | Sept. 23, '55        | .....                | E. J. Stearns.....                | Merced.....      |
| 193              | Mar. 22, '53         | J. P. Long.....      | J. P. Long.....                   | Solano.....      |
| *193             | Sept. 23, '55        | .....                | E. J. Stearns.....                | Merced.....      |
| *194             | Ap'l 16, '53         | James Barry.....     | James Barry.....                  | Solano.....      |
| 195              | May 3, ...           | L. E. Beardsley..... | E. Vischer.....                   | Santa Clara..... |
| 196              | Mar. 14, ...         | Gish & Lemon.....    | Gish & Lemon.....                 | Solano.....      |
| *196             | July 16, '54         | .....                | Elmes A. Townsend.....            | Solano.....      |
| *197             | Nov. 25, '56         | .....                | Robert H. Vance.....              | Solano.....      |
| 198              | Sept. 4, '55         | .....                | C. V. Snelling.....               | Mariposa.....    |
| 199              | Ap'l 20, '53         | W. Buchanan.....     | W. Buchanan.....                  | El Dorado.....   |
| †200             | May 17, ...          | D. R. Ashley.....    | D. R. Ashley.....                 | Monterey.....    |
| 200              | Nov. 17, '56         | .....                | M. C. Frelaud.....                | Monterey.....    |
| 201              | Nov. 17, ...         | D. R. Ashley.....    | M. C. Frelaud.....                | Monterey.....    |
| *202             | July 10, '54         | .....                | S. C. Hastings.....               | Solano.....      |
| 204              | July 28, '53         | Charles K. Smith...  | Jonathan Clark.....               | Humboldt.....    |
| †205             | July 28, ...         | Charles K. Smith...  | Jonathan Clark.....               | Humboldt.....    |
| 207              | Ap'l 18, ...         | Albert Rowe.....     | Pulaski Greene.....               | Sacramento.....  |
| 208              | Oct. 17, '54         | .....                | Noorman & Denton.....             | Solano.....      |
| *209             | Mar. 27, '57         | .....                | Bird Strickland.....              | Merced.....      |
| 210              | May 21, '53          | Spencer & Sullivan.. | Spencer & Sullivan..              | Solano.....      |
| 211              | Dec. 30, ...         | Charles Loring.....  | Grant, Gallagher, &<br>Green..... | San Francisco..  |
| *211             | Nov. 2, '57          | .....                | F. H. Woods.....                  | Solano.....      |
| 213              | Aug. 6, '53          | .....                | Adams & Welch.....                | Santa Clara..... |
| 213              | Mar. 31, '58         | .....                | Henry G. Ellsworth.....           | Alameda.....     |
| *215             | June 6, '53          | B. F. Marshall.....  | Benj. F. Marshall...              | Calaveras.....   |
| 216              | Ap'l 16, ...         | S. K. Nurse.....     | S. K. Nurse.....                  | Solano.....      |
| 216              | July 13, '54         | .....                | W. R. Nurse.....                  | Solano.....      |
| *217             | June 6, '53          | B. F. Marshall.....  | B. F. Marshall.....               | Calaveras.....   |
| 218              | Aug. 4, '56          | H. G. Ferris.....    | H. G. Ferris.....                 | Siskiyou.....    |
| 219              | Oct. 3, '54          | David D. Colton..... | P. A. Hartstrandt...              | Siskiyou.....    |
| 219              | Aug. 31, '57         | David D. Colton..... | P. A. Hartstrandt...              | Siskiyou.....    |
| *220             | Sept. 23, '55        | .....                | Ed. J. Stearns.....               | Merced.....      |

\* Final location in Register's Office at San Francisco.

† Abandoned.

‡ Final Location in Register's Office at San Francisco, March 16, 1855.

| No. of<br>warr't | Date of<br>Location. | To whom Issued.     | For whom Located.             | County.          |
|------------------|----------------------|---------------------|-------------------------------|------------------|
| †221             | .....                | .....               | .....                         | .....            |
| 222              | Sept. 2, '53         | E. McGerry.....     | E. McGerry.....               | Solano.....      |
| 222              | Mar. 1, '54          | .....               | Isaac Thomas.....             | Santa Clara..... |
| 223              | Sept. 2, '53         | E. McGerry.....     | E. McGerry.....               | Solano.....      |
| 223              | Mar. 1, '54          | .....               | Isaac Thomas.....             | Santa Clara..... |
| 224              | July 9, '53          | .....               | W. B. Long.....               | Solano.....      |
| †224             | Dec. 17, '55         | .....               | .....                         | Solano.....      |
| 225              | July 9, '53          | .....               | W. B. Long.....               | Solano.....      |
| *225             | Mar. 26, '55         | .....               | Jack W. Smith.....            | Merced.....      |
| 226              | July 12, '53         | William Barnett.... | William Barnett....           | San Joaquin....  |
| §227             | Jan. 30, '54         | Charles D. Judah... | W. T. B. Sanford...           | Los Angeles....  |
| 227              | June 23, '57         | .....               | Edward Merrill....            | Los Angeles....  |
| 228              | Jan. 30, '54         | Charles D. Judah... | John G. Downey...             | Los Angeles....  |
| *229             | July 10, ...         | .....               | S. C. Hastings.....           | Solano.....      |
| 230              | July 10, ...         | .....               | S. C. Hastings.....           | Solano.....      |
| 232              | Oct. 6, '53          | John Thorp.....     | John Thorp.....               | Santa Cruz.....  |
| 234              | Oct. 6, ...          | W. B. Knox.....     | W. B. Knox.....               | Santa Cruz.....  |
| 236              | Oct. 6, ...          | P. O'Connor.....    | P. O'Connor.....              | Santa Cruz.....  |
| \|\|237              | July 29, ...         | .....               | Read and others....           | San Francisco..  |
| 237              | Feb. 5, '56          | Alexander Horton..  | W. H. Palmer.....             | Santa Clara..... |
| *237             | Sept. 28, '57        | .....               | Thos. P. Madder....           | Tulare.....      |
| 238              | Sept. 20, '56        | .....               | H. Hancock.....               | Los Angeles....  |
| 239              | Aug. 22, '53         | .....               | S. J. Hensley.....            | Santa Clara..... |
| *240             | Feb. 20, '56         | .....               | Allen Lee Bours....           | San Joaquin....  |
| *241             | Feb. 20, ...         | .....               | Allen Lee Bours....           | San Joaquin....  |
| 242              | Aug. 4, '54          | Geo. Aiken.....     | W. N. Ryer.....               | San Joaquin....  |
| *242             | June 1, '57          | .....               | J. W. Fitzhugh.....           | Merced.....      |
| 246              | Oct. 18, '53         | R. Hopkins.....     | W. H. White.....              | Santa Clara..... |
| 247              | Dec. 20, '53         | R. Hopkins.....     | Gluyas and Coult..            | Santa Cruz.....  |
| *248             | July 10, '54         | .....               | Felix Argenti.....            | Solano.....      |
| 249              | July 10, '54         | .....               | Felix Argenti.....            | Solano.....      |
| *252             | July 10, '54         | .....               | Felix Argenti.....            | Solano.....      |
| 253              | Dec. 20, '53         | Geo. W. Ten Broeck  | Gluyas, Coult, Wil-<br>[liams | Santa Cruz.....  |
| 254              | Dec. 20, ...         | Thomas Coleman....  | " " "                         | Santa Cruz.....  |
| 255              | Dec. 20, ...         | Thomas Coleman....  | " " "                         | Santa Cruz.....  |
| *256             | July 10, '54         | .....               | Felix Argenti.....            | Solano.....      |
| *257             | July 10, ...         | .....               | Felix Argenti.....            | Solano.....      |
| 258              | Aug. 23, '53         | H. Gwynn.....       | H. Gwynn.....                 | Yolo.....        |
| 259              | Aug. 19, ...         | F. H. Wood.....     | W. C. Jones.....              | San Francisco..  |
| 260              | Aug. 19, ...         | G. H. Wilson.....   | H. P. Jones.....              | San Francisco..  |
| 261              | Aug. 19, ...         | C. H. Heath.....    | H. P. Jones.....              | San Francisco..  |
| *261             | Sept. 20, '58        | .....               | John McMullin.....            | San Joaquin....  |
| 262              | Aug. 22, '52         | .....               | Jas. Caples.....              | Sacramento.....  |
| 262              | Aug. 25, '53         | .....               | H. L. Ford.....               | Colusa.....      |

\* Final location in the U. S. Register's Office at San Francisco.

† Final location in the U. S. Register's Office at Marysville.

‡ Returned informal from San Francisco.

§ Sold by first locator.

|| Informal.



| No. of<br>warr't | Date of<br>Location. | To whom Issued.     | For whom Located.    | County.          |
|------------------|----------------------|---------------------|----------------------|------------------|
| 263              | Aug. 24, '53         | .....               | W. C. Moon.....      | Colusa .....     |
| †264             | Dec. 17, '55         | .....               | .....                | .....            |
| 265              | Dec. 29, '54         | T. P. Hart.....     | Ignacio Del Valle... | Los Angeles....  |
| 266              | Sept. 12, '56        | .....               | Jas. A. Forbes.....  | Santa Clara .... |
| \$267            | .....                | .....               | .....                | San Francisco... |
| *267             | Sept. 28, '57        | .....               | Thomas P. Madden     | Tulare.....      |
| †268             | Mar. 10, '56         | .....               | .....                | .....            |
| 269              | Oct. 6, '53          | J. Suttar.....      | Joseph Yancey .....  | San Joaquin....  |
| †269             | Sept. 2, '58         | .....               | Joseph Yancey .....  | San Joaquin....  |
| *272             | Dec. 31, '56         | .....               | Thomas J. Brooke..   | San Joaquin....  |
| 273              | Aug. 12, ...         | Wm. W. Wright....   | James Hughes.....    | Colusa .....     |
| 275              | April 15, ...        | .....               | J. S. Ormsby.....    | Sonoma.....      |
| 277              | Oct. 8, ...          | Daniel Rountree.... | Geo. H. Bodfish....  | Santa Clara .... |
| 278              | Aug. 31, '53         | A. Brooks.....      | J. D. Stevenson....  | San Francisco... |
| *278             | Mar. 6, '56          | .....               | Chas. C. Rynerson..  | San Joaquin....  |
| 279              | '53                  | .....               | .....                | .....            |
| 280              | Dec. 20, ...         | T. A. Lynch.....    | Patrick Breen.....   | Monterey .....   |
| 281              | Dec. 23, ...         | J. Neely Johnson..  | M. A. Meeder.....    | Santa Cruz.....  |
| 282              | Sept. 14, ...        | .....               | P. W. Colt.....      | Santa Clara....  |
| 283              | Mar. 24, ...         | .....               | W. Murphy.....       | Santa Clara....  |
| 284              | Mar. 24, ...         | .....               | W. Murphy.....       | Santa Clara....  |
| 288              | Oct. 1, ...          | .....               | J. H. Whitman .....  | Yolo .....       |
| 292              | June 12, '56         | G. Tagliabue .....  | Joseph Haywood...    | Colusa .....     |
| 294              | Oct. 15, '53         | .....               | F. Smith.....        | Santa Cruz.....  |
| 295              | Aug. 27, ...         | F. D. Kohler .....  | N. C. Reed.....      | San Francisco... |
| 296              | Sept. 14, ...        | Jas. C. Layton..... | J. W. Colt.....      | Santa Clara....  |
| 297              | Aug. 19, ...         | .....               | W. Briggs.....       | Solano.....      |
| *297             | July 18, '56         | .....               | W. J. Barfield ..... | Merced .....     |
| 298              | Aug. 19, '53         | .....               | W. Briggs.....       | Solano.....      |
| *298             | June 29, '55         | .....               | W. J. Barfield ..... | Merced .....     |
| *300             | Sept. 28, '57        | .....               | James P. Speer.....  | Fresno.....      |
| *301             | Dec. 23, '53         | John Y. Lind.....   | B. K. Reid .....     | San Joaquin....  |
| 302              | Sept. 2, ...         | John Able.....      | S. C. Hastings.....  | Solano.....      |
| 303              | Sept. 2, ...         | John Able.....      | S. C. Hastings.....  | Solano.....      |
| 303              | Dec. 20, ...         | .....               | Ed. Breen .....      | Monterey .....   |
| *304             | Oct. 26, '57         | .....               | James P. Speer.....  | Fresno.....      |
| 306              | Oct. 22, '53         | W. Walker.....      | J. Belden.....       | Santa Clara....  |
| 307              | Oct. 22, ...         | W. Walker.....      | J. Belden.....       | Santa Clara....  |
| 308              | (No date.)           | H. M. Cooper.....   | H. M. Cooper.....    | Yolo .....       |
| 309              | Oct. 27, '53         | Jas. M. Harbin..... | Jas. M. Harbin.....  | Yolo .....       |
| *310             | Sept. 23, '55        | .....               | E. J. Stearns .....  | Merced .....     |
| 314              | Oct. 6, '53          | J. McMullen .....   | J. McMullen.....     | San Joaquin....  |
| *314             | Jan. 22, '56         | J. McMullen .....   | J. McMullen.....     | San Joaquin....  |
| \|\|317              | Jan. 22, ...         | Atkins S. Wright .. | B. V. Sargent.....   | San Joaquin....  |
| *317             | April 17, '58        | .....               | Alex. Hartford.....  | San Joaquin....  |
| 318              | Jan. 22, '56         | A. S. Wright .....  | J. L. Sargent.....   | San Joaquin....  |

\* Final location in the U. S. Register's Office at San Francisco.

† Final location in the U. S. Register's Office at Marysville.

‡ Final location in the U. S. Register's Office at Stockton.

§ Informal.

|| Floated in same county, December 29, 1857.

| No. of<br>warr't | Date of<br>Location. | To whom Issued.    | For whom Located.    | County.         |
|------------------|----------------------|--------------------|----------------------|-----------------|
| *318             | Mar. 9, '58          | .....              | Simeon H. Anthony    | San Joaquin.... |
| 319              | Jan. 22, '56         | A. S. Wright ..... | B. V. Sargent.....   | San Joaquin.... |
| *319             | Jan. 7, '58          | .....              | Job. S. Anglin.....  | San Joaquin.... |
| *321             | Sept. 18, '56        | .....              | Nat. S. Harrold..... | San Joaquin.... |
| †321             | Aug. 9, '58          | .....              | J. M. Montgomery..   | Merced.....     |
| †322             | Nov. 24, '56         | .....              | John A. Veact .....  | Napa.....       |
| 323              | Nov. 24, ...         | .....              | John A. Veact .....  | Napa.....       |
| 324              | June 23, '57         | Wm. N. Thompson .. | Wm. N. Thompson..    | Fresno .....    |

\* Final location in the U. S. Register's Office at San Francisco.

† Final location in the U. S. Register's Office at Stockton.





# LIST OF

## SCHOOL-LAND WARRANTS FOR 160 ACRES EACH.

| No. of<br>warr't | Date of<br>Location. | To whom Issued.     | For whom Located.    | County.          |
|------------------|----------------------|---------------------|----------------------|------------------|
| †1               | Aug. 3, '52          | .....               | Roswell Barbour..... | Solano .....     |
| *1               | Oct. 17, '55         | .....               | Nathan Barbour.....  | Solano .....     |
| †2               | Aug. 3, '52          | .....               | Roswell Barbour..... | Solano .....     |
| *2               | Oct. 17, '55         | .....               | Nathan Barbour.....  | Solano .....     |
| *3               | July 20, '53         | .....               | Sarshil Bynum.....   | Solano .....     |
| *3               | Mar. 11, ...         | .....               | Addison C. Hynkson   | Santa Clara..... |
| 4                | Sept. 15, '52        | L. B. Harkness..... | D. P. Thayer.....    | Mendocino .....  |
| 4                | July 22, ...         | Jas. Caples.....    | Jas. Caples.....     | Sacramento.....  |
| 4                | Aug. 20, '56         | L. B. Harkness..... | Eben Fakon.....      | Santa Clara..... |
| 5                | June 19, '52         | .....               | J. Tanner.....       | Yuba .....       |
| 6                | June 19, ...         | .....               | J. Tanner.....       | Yuba .....       |
| 7                | June 19, ...         | .....               | J. Tanner.....       | Yuba .....       |
| 8                | June 19, ...         | .....               | J. Tanner.....       | Yuba .....       |
| 11               | June 18, ...         | .....               | N. Coniger.....      | Sonoma.....      |
| 12               | June 18, ...         | .....               | N. Coniger.....      | Sonoma.....      |
| 13               | June 5, ...          | .....               | Cooper, Vaughn, By-  |                  |
|                  |                      |                     | [num                 | Solano .....     |
| 14               | June 5, ...          | .....               | " " "                | Solano .....     |
| 15               | June 19, ...         | .....               | J. H. Storer.....    | Yuba .....       |
| 16               | June 19, ...         | .....               | J. H. Storer.....    | Yuba .....       |
| 17               | June 19, ...         | .....               | J. H. Storer.....    | Yuba .....       |
| 18               | June 19, ...         | .....               | J. H. Storer.....    | Yuba .....       |
| 21               | Aug. 3, ...          | .....               | Roswell Barbour..... | Solano .....     |
| †23              | Aug. 26, ...         | .....               | M. B. Schakelford... | Santa Cruz.....  |
| 24               | Aug. 26, ...         | .....               | M. B. Schakelford... | Santa Cruz.....  |
| §24              | Sept. 25, '55        | .....               | Samuel R. Gwin....   | Merced .....     |
| 25               | Feb. 26, '58         | .....               | Amos Buckman.....    | Napa .....       |
| 26               | Mar. 6, '57          | E. Howland.....     | Hugh P. Gallagher..  | Santa Clara..... |
| 27               | Mar. 31, ...         | E. Howland.....     | Alfred G. Carter.... | Tehama .....     |
| 29               | Aug. 26, ...         | M. Larned.....      | E. and G. W. Heard   | Siskiyou .....   |
| 30               | May 24, ...          | M. Larned.....      | Thomas Widdess....   | Siskiyou .....   |

\* On record in Register's Office, San Francisco.

† On record in this Office.

‡ Assignee of Thomas Fallon.

§ Located on Register, San Francisco.

| No. of<br>warr't | Date of<br>Location. | To whom Issued.    | For whom Located.                    | County.         |
|------------------|----------------------|--------------------|--------------------------------------|-----------------|
| 31               | May 24, ...          | M. Larned.....     | Thomas Widdess....                   | Siskiyou .....  |
| †33              | June 28, '52         | .....              | Griffin and Wilkins..                | Yuba.....       |
| †34              | June 28, ...         | .....              | Griffin and Wilkins..                | Yuba.....       |
| †35              | June 28, ...         | .....              | Griffin and Wilkins..                | Yuba.....       |
| †36              | June 28, ...         | .....              | Griffin and Wilkins..                | Yuba.....       |
| *37              | May 31, '58          | .....              | W. H. Laird.....                     | Stanislaus..... |
| †38              | April 13, ...        | G. H. Howard.....  | Demont, Smith, Dom<br>Chauncey ..... | Alameda .....   |
| *39              | May 31, ...          | .....              | W. H. Laird.....                     | Stanislaus..... |
| †40              | April 13, ...        | G. H. Howard.....  | Demont, Smith, Dom<br>Chauncey ..... | Alameda .....   |
| *41              | April 17, ...        | .....              | F. H. Woods.....                     | San Joaquin...  |
| *42              | April 17, ...        | .....              | F. H. Woods.....                     | San Joaquin...  |
| *43              | April 17, ...        | .....              | F. H. Woods.....                     | San Joaquin...  |
| *44              | April 17, ...        | .....              | F. H. Woods.....                     | San Joaquin...  |
| 45               | Oct. 28, '52         | A. Wheeler .....   | John A. Benson.....                  | Sacramento...   |
| *45              | Jan. 22, '58         | .....              | John A. Benson.....                  | Tulare.....     |
| *47              | July 7, '57          | .....              | L. D. Vinsonhaler..                  | Mariposa .....  |
| *48              | July 7, ...          | .....              | L. D. Vinsonhaler..                  | Mariposa .....  |
| 49               | July 5, '53          | .....              | Geo. R. Nesbitt.....                 | Sacramento...   |
| *49              | Sept. 4, '55         | .....              | Cornelius Osborne..                  | Merced .....    |
| 50               | Sept. 4, ...         | .....              | Cornelius Osborne..                  | Merced .....    |
| 50               | Sept. 8, '56         | H. Robinson.....   | Hames & Dubendiss                    | Santa Cruz....  |
| 51               | July 20, '52         | .....              | Sarshil Bynum.....                   | Solano .....    |
| 51               | Dec. 5, '53          | .....              | S. C. Hastings.....                  | Solano .....    |
| 52               | July 16, '52         | .....              | .....                                | Sonoma.....     |
| 52               | July 21, ...         | .....              | S. C. Hastings and<br>Morse .....    | Solano .....    |
| 53               | Dec. 5, '53          | .....              | S. C. Hastings.....                  | Solano .....    |
| §54              | July 16, '52         | .....              | S. C. Hastings.....                  | Sonoma.....     |
| 57               | June 3, '52          | .....              | Jonathan Tittle....                  | Yolo .....      |
| 58               | June 3, ...          | .....              | Jonathan Tittle....                  | Yolo .....      |
| 59               | Mar. 31, '58         | William Stanwood.. | H. G. Ellsworth.....                 | Alameda.....    |
| 60               | Mar. 31, ...         | William Stanwood.. | H. G. Ellsworth.....                 | Alameda.....    |
| *61              | April 7, ...         | .....              | Peter Kennedy.....                   | San Joaquin.... |
| *62              | April 7, ...         | .....              | Peter Kennedy.....                   | San Joaquin.... |
| a63              | June 17, '52         | .....              | Myron Hutchinson..                   | San Joaquin.... |
| a64              | June 17, ...         | .....              | Myron Hutchinson..                   | San Joaquin.... |
| a65              | June 17, ...         | .....              | Myron Hutchinson..                   | San Joaquin.... |
| b65              | May 19, '57          | .....              | Cole & Dodge.....                    | San Joaquin.... |
| c66              | June 17, '52         | .....              | Myron Hutchinson..                   | San Joaquin.... |
| d66              | May 19, '57          | .....              | Cole & Dodge.....                    | San Joaquin.... |
| *67              | Feb. 18, '54         | .....              | S. C. Field .....                    | .....           |

\* Located in Register's Office, San Francisco.

† Located in Register's Office, Marysville, Jan. 19, 1856.

‡ Located in Register's Office, San Francisco, June 9, 1852—floated April 10, 1853.

§ Floated to Solano, July 20, 1852.

a Re-located, December 27, 1853, in same County.

b Assigned, floated from original location on land confirmed to Andreas Pico.

c Re-located, December 27, 1853, by same.

d Assignees—floated from original location on land confirmed to A. Pico.

| o. of<br>arr't | Date of<br>Location. | To whom Issued.      | For whom Located.      | County.          |
|----------------|----------------------|----------------------|------------------------|------------------|
| 68             | Oct. 22, '53         | Chas. M. Hudspeth..  | Zachariah Jones.....   | Santa Clara..... |
| 70             | Aug. 20, ...         | .....                | Hayes & Moore.....     | San Francisco... |
| *71            | Aug. 8, ...          | .....                | James Pratt.....       | San Francisco... |
| †72            | Aug. 20, ...         | J. M. Hudspeth.....  | Hayes & Moore.....     | San Joaquin....  |
| †72            | Dec. 29, '54         | J. M. Hudspeth.....  | W. K. Van Allen...     | San Francisco... |
| 72             | Dec. 31, '55         | J. M. Hudspeth.....  | Alden Daly.....        | San Joaquin....  |
| 72             | June 1, '58          | J. M. Hudspeth.....  | Jas. P. Sargent .....  | Santa Clara..... |
| 73             | June 19, '52         | .....                | Warren Nims.....       | Calaveras (now   |
| 74             | June 19, ...         | .....                | Warren Nims.....       | Amador.)         |
| 75             | June 19, ...         | .....                | Warren Nims.....       | " " "            |
| 76             | June 19, ...         | .....                | Warren Nims.....       | " " "            |
| 77             | June 23, ...         | .....                | G. J. Clarke & J. Pope | Yuba .....       |
| 77             | Sept. 23, '54        | .....                | Gould & Maclay....     | Santa Clara..... |
| 78             | Sept. 23, ...        | .....                | Gould & Maclay....     | Santa Clara..... |
| 78             | Mar. 7, '57          | .....                | Thos. J. Neville.....  | Santa Clara..... |
| 80             | Aug. 26, '57         | M. Larned.....       | E. & G. W. Heard...    | Siskiyou .....   |
| 81             | Aug. 26, ...         | E. Larned.....       | M. J. Carroll.....     | Siskiyou .....   |
| 82             | June 4, '52          | .....                | John Williams.....     | Yolo .....       |
| 82             | Oct. 1, '58          | .....                | Philander Arnold...    | Solano.....      |
| 83             | June 4, '52          | .....                | John Williams.....     | Yolo .....       |
| 84             | July 8, ...          | Jas. F. Thompson...  | T. Thompson.....       | Santa Clara..... |
| 85             | July 8, ...          | Jas. F. Thompson...  | T. Thompson.....       | Santa Clara..... |
| 86             | July 11, ...         | Jas. F. Thompson...  | Jas. M. Allen.....     | Santa Cruz.....  |
| 87             | July 11, ...         | .....                | W. M. Mendenhall...    | Santa Cruz.....  |
| 88             | Sept. 7, ...         | J. P. Chrisman.....  | Roscoe Field.....      | Contra Costa...  |
| a88            | March 5, '57         | .....                | John R. Boyd.....      | Contra Costa...  |
| 89             | Sept. 7, '52         | C. P. Stevenson..... | R. Field.....          | Contra Costa...  |
| a89            | March 5, '57         | .....                | John R. Boyd.....      | Contra Costa...  |
| 90             | April 15, '53        | .....                | Wright, Hammond,       | Santa Cruz.....  |
|                |                      |                      | and others.....        | .....            |
| 91             | June 12, '52         | .....                | Thos. C. Byrd.....     | Santa Cruz.....  |
| *91            | Oct. 23, '55         | .....                | J. M. Montgomery..     | Merced .....     |
| 92             | June 12, '52         | .....                | Thos. C. Byrd.....     | Santa Cruz.....  |
| *92            | Oct. 23, '55         | .....                | J. M. Montgomery..     | Merced .....     |
| 93             | Aug. 3, '52          | .....                | G. V. Weaver.....      | Santa Cruz.....  |
| 94             | Oct. 4, ...          | M. A. Meeder.....    | G. V. Weaver.....      | Santa Cruz.....  |
| 95             | Oct. 17, '53         | M. A. Meeder.....    | M. A. Meeder.....      | Santa Cruz.....  |
| 96             | Oct. 17, ...         | M. A. Meeder.....    | M. A. Meeder.....      | Santa Cruz.....  |
| 98             | June 1, '52          | Wm. Clary.....       | Wm. Clary.....         | Yolo .....       |
| 98             | May 20, '53          | .....                | John Gibb.....         | Yolo .....       |
| b98            | Dec. 6, '58          | .....                | John W. Porterfield    | Yolo .....       |
| 99             | June 1, '52          | .....                | Wm. Clary.....         | Yolo .....       |
| 99             | May 20, '53          | .....                | John Gibb.....         | Yolo .....       |
| b99            | Dec. 6, '58          | William Clary.....   | John W. Porterfield    | Yolo .....       |
| 100            | June 19, '52         | .....                | Fletcher Baker.....    | Calaveras (now   |
|                |                      |                      |                        | Amador.)         |

\* Located in Register's Office, San Francisco.

† Informal.

‡ Located in Register's Office, in Stockton.

a Located in Register's Office, Marysville, May 14, 1858.

b Located in Register's Office, Marysville.

c Located in Register's Office, San Francisco, April 29, 1854.

| No. of<br>warr't | Date of<br>Location. | To whom Issued.     | For whom Located.    | County.          |
|------------------|----------------------|---------------------|----------------------|------------------|
| 101              | June 19, '52         | .....               | Fletcher Baker.....  | Calaveras (now   |
| 102              | June 19, ...         | .....               | Fletcher Baker.....  | " Amador)        |
| 103              | June 19, ...         | .....               | Fletcher Baker.....  | " "              |
| 104              | Nov. 6, ...          | J. A. Paxton.....   | Peter Rice.....      | Butte.....       |
| 105              | April 24, '57        | J. A. Paxton.....   | G. P. Swift.....     | Colusa.....      |
| 106              | June 4, '52          | .....               | Samuel Conrad.....   | Yolo.....        |
| *106             | Jan. 9, '57          | .....               | Henry Howland.....   | San Joaquin....  |
| 107              | June 7, '52          | .....               | Isly Holt Fine.....  | Solano.....      |
| *107             | Sept. 25, '55        | .....               | Sam'l R. Gwin.....   | Merced.....      |
| 108              | June 7, '52          | .....               | Isly Holt Fine.....  | Solano.....      |
| *108             | Sept. 25, '55        | .....               | Sam'l R. Gwin.....   | Merced.....      |
| 109              | June 7, '52          | .....               | I. Holt Fine.....    | Solano.....      |
| 109              | Aug. 27, '55         | .....               | Albert Jones.....    | San Joaquin....  |
| *109             | Feb. 22, '56         | .....               | Wm. Nelson.....      | Merced.....      |
| 110              | Aug. 27, '55         | .....               | Seth H. Comstock..   | San Joaquin....  |
| 110              | June 7, '52          | .....               | Isly Holt Fine.....  | Solano.....      |
| *110             | Ap'l 14, '56         | .....               | Joseph W. Leland..   | San Joaquin....  |
| †111             | May 19, ....         | .....               | .....                | .....            |
| †112             | Dec. 23, '53         | .....               | John Ferguson.....   | Solano.....      |
| 114              | Dec. 20, ...         | L. W. Baggs.....    | Edward Breen.....    | Monterey.....    |
| 115              | Mar. 25, '57         | .....               | A. C. Peachy.....    | Napa.....        |
| 117              | June 5, '52          | .....               | J. B. Tilden.....    | Yolo.....        |
| 117              | Nov. 20, '57         | .....               | G. W. & E. H. Heard  | Siskiyou.....    |
| 118              | June 16, '53         | .....               | Sarshil Bynum.....   | Napa.....        |
| 119              | June 16, ...         | .....               | Sarshil Bynum.....   | Napa.....        |
| †120             | Jan. 12, ...         | .....               | P. M. Mackay.....    | Solano.....      |
| *120             | Dec. 17, '57         | .....               | Jas. J. Dickinson... | Stanislaus.....  |
| *121             | Dec. 17, ...         | .....               | Jas. J. Dickinson... | Stanislaus.....  |
| *122             | Dec. 5, ...          | .....               | Ruffin A. Moore..... | Merced.....      |
| *123             | Dec. 5, ...          | .....               | Archibald Prewitt..  | Merced.....      |
| *124             | Dec. 5, ...          | .....               | Wm. M. Neill.....    | Merced.....      |
| *125             | Dec. 5, ...          | .....               | Wm. M. Neill.....    | Merced.....      |
| §130             | Oct. 16, '52         | Thos. Sunderland... | Rollins, Britton,    | .....            |
|                  |                      |                     | [Henkley,            | Colusa.....      |
| §130             | Oct. 16, '54         | .....               | " "                  | Colusa.....      |
| §131             | Oct. 16, '52         | Thos. Sunderland... | " "                  | Colusa.....      |
| *131             | Oct. 16, '54         | .....               | " "                  | Colusa.....      |
| 132              | Oct. 27, '52         | .....               | John A. Benson.....  | Sacramento.....  |
| *132             | Jan. 22, '58         | .....               | John A. Benson.....  | Tulare.....      |
| 133              | Oct. 13, ...         | .....               | Thos. Thompson.....  | Santa Clara..... |
| †134             | July 28, ...         | .....               | J. N. Briceland..... | San Francisco..  |
| *134             | Jan. 21, '58         | S. D. Lovell.....   | Thos. P. Madden...   | Tulare.....      |
| †135             | July 21, '53         | .....               | J. N. Briceland..... | San Francisco..  |
| *135             | Jan. 22, '58         | S. D. Lovell.....   | Cornelius Osborne... | Stanislaus.....  |
| †136             | July 21, '53         | S. D. Lovell.....   | J. N. Briceland..... | San Francisco..  |
| *136             | Jan. 22, '58         | .....               | Cornelius Osborne..  | Stanislaus.....  |

\* Located in Register's Office, San Francisco.

† Located in Register's Office, Marysville.

‡ Informal.

§ Re-located for same parties, Oct. 27, 1853, in Register's Office, San Francisco.



| No. of<br>warr't | Date of<br>Location. | To whom Issued.     | For whom Located.    | County.         |
|------------------|----------------------|---------------------|----------------------|-----------------|
| +137             | Jan. 21, '53         | S. D. Lovell.....   | J. N. Briceland..... | San Francisco.. |
| *137             | Jan. 22, '58         | .....               | T. P. Madden.....    | Tulare.....     |
| 138              | June 18, '52         | .....               | Benj. Dewell.....    | Sonoma.....     |
| 138              | Dec. 3, '57          | W. B. Elliott.....  | Emsley Elliott.....  | Sonoma.....     |
| 139              | June 18, '52         | W. B. Elliott.....  | A. R. Elliott.....   | Sonoma.....     |
| 139              | Dec. 3, '57          | .....               | Emsley Elliott.....  | Sonoma.....     |
| 140              | June 18, '52         | W. B. Elliott.....  | A. R. Elliott.....   | Sonoma.....     |
| 140              | Dec. 3, '57          | W. B. Elliott.....  | Emsley Elliott.....  | Sonoma.....     |
| 141              | June 18, '52         | W. B. Elliott.....  | Benj. Dewell.....    | Sonoma.....     |
| 141              | Dec. 3, '57          | .....               | Emsley Elliott.....  | Sonoma.....     |
| 142              | June 25, '52         | .....               | Albert Williams..... | San Joaquin.... |
| +142             | July 10, '54         | .....               | Albert Williams..... | Solano.....     |
| 143              | June 25, '52         | .....               | Albert Williams..... | San Joaquin.... |
| +143             | July 10, '54         | .....               | Albert Williams..... | Solano.....     |
| 144              | June 25, '52         | .....               | Albert Williams..... | San Joaquin.... |
| +144             | July 10, '54         | .....               | Albert Williams..... | Solano.....     |
| 145              | June 25, '52         | .....               | Albert Williams..... | San Joaquin.... |
| +145             | July 10, '54         | .....               | Albert Williams..... | Solano.....     |
| 146              | July 5, '52          | .....               | Thos. B. Prince..... | Contra Costa..  |
| 147              | July 5, '52          | .....               | Thos. B. Prince..... | Contra Costa..  |
| \$148            | Oct. 14, '58         | Hock Hills .....    | Hock Hills .....     | Humboldt.....   |
| 149              | Feb. 7, '53          | Hock Hills .....    | Hock Hills.....      | Trinity.....    |
| \$149            | Oct. 14, '58         | Hock Hills .....    | Hock Hills.....      | Humboldt.....   |
| 150              | Feb. 7, '53          | Hock Hills .....    | Hock Hills.....      | Humboldt.....   |
| 151              | Sept. 15, '52        | .....               | V. Seaman .....      | Mendocino ..... |
| 151              | Nov. 16, '54         | Frank Soule .....   | Isaiah Hanseom.....  | Solano .....    |
| *151             | Ap'l 2, '56          | .....               | Solman A. Benton...  | San Joaquin ... |
| 152              | Sept. 15, '52        | Frank Soule.....    | V. Seaman.....       | Mendocino ..... |
| *152             | Sept. 4, '55         | .....               | Cornelius Osborne..  | Merced .....    |
| 153              | Aug. 20, '52         | .....               | W. M. Chipman ....   | Contra Costa .. |
| 153              | Aug. 21, '57         | .....               | James Thompson...    | Los Angeles.... |
| 154              | Sept. 15, '52        | Frank Soule.....    | V. Seaman .....      | Mendocino ..... |
| 154              | Ap'l 18, '53         | .....               | Felix Argenti.....   | San Francisco.. |
| 155              | Sept. 15, '52        | G. W. Kinsee.....   | D. P. Thayer.....    | Mendocino ..... |
| 156              | Sept. 15, ...        | G. W. Kinsee.....   | D. P. Thayer.....    | Mendocino ..... |
| 156              | June 23, '57         | .....               | Edward Merrill.....  | Los Angeles.... |
| 157              | Nov. 6, '52          | John A. Paxton .... | Peter Rice .....     | Butte .....     |
| 158              | Sept. 15, ...        | E. G. Austin.....   | J. B. Ford .....     | Mendocino ..... |
| 159              | Sept. 15, ...        | E. G. Austin .....  | J. B. Ford .....     | Mendocino ..... |
| 160              | Sept. 15, ...        | C. Scholfield ..... | Jesse L. Wetmore...  | Mendocino ..... |
| 161              | Sept. 15, ...        | .....               | Jesse L. Wetmore...  | Mendocino ..... |
| *161             | Feb. 14, '57         | .....               | A. P. Jackson .....  | Solano.....     |
| 162              | Sept. 15, '52        | B. D. Banter.....   | A. P. Jackson .....  | Mendocino.....  |
| 163              | Sept. 15, ...        | B. D. Banter.....   | A. P. Jackson .....  | Mendocino.....  |
| 164              | Sept. 15, ...        | M. Rudsdale .....   | D. P. Thayer.....    | Mendocino.....  |
| 165              | Aug. 20, ...         | .....               | W. M. Chipman ....   | Contra Costa .. |

\* Final location in Register's Office at San Francisco.

† Located in Register's Office, San Francisco—Floated.

‡ Informal.

§ Final location in Register's Office, Humboldt.



| No. of<br>warr't | Date of<br>Location. | To whom Issued.       | For whom Located.             | County.          |
|------------------|----------------------|-----------------------|-------------------------------|------------------|
| 165              | Aug. 21, '57         | B. F. Moulton.. ....  | James Thompson ...            | Los Angeles .... |
| 166              | Sept. 15, '52        | B. F. Moulton.....    | J. B. Ford .....              | Mendocino.....   |
| 166              | Dec. 29, '54         | .....                 | Ignacio del Valle...          | Los Angeles....  |
| 167              | Sept. 15, '52        | B. F. Moulton.....    | J. B. Ford .....              | Mendocino.....   |
| 169              | Nov. 16, '55         | .....                 | Jonathan Clark .....          | Trinity .....    |
| 170              | Nov. 16, ...         | .....                 | Jonathan Clark .....          | Trinity .....    |
| 171              | Nov. 16, ...         | .....                 | Jonathan Clark .....          | Trinity .....    |
| 172              | Aug. 14, '52         | Jas. H. Ralston.....  | John A. Benson.....           | Sacramento.....  |
| *172             | Jan. 22, '58         | .....                 | John A. Benson.....           | Tulare.....      |
| 173              | Aug. 14, '52         | Jas. H. Ralston.....  | John A. Benson.....           | Sacramento.....  |
| 173              | Jan. 22, '58         | .....                 | John A. Benson .....          | Tulare.....      |
| 174              | Oct. 16, '52         | Jas. H. Ralston.....  | Rollins, Britton,<br>[Henkly. | Colusa .....     |
| *174             | Oct. 17, '53         | .....                 | " " "                         | Colusa .....     |
| 175              | Oct. 16, '52         | Jas. H. Ralston.....  | " " "                         | Colusa .....     |
| *175             | Oct. 17, '53         | .....                 | " " "                         | Colusa .....     |
| 176              | Aug. 12, '52         | .....                 | James A. Bell.....            | Nevada.....      |
| 177              | Aug. 12, ...         | .....                 | James A. Bell. ....           | Nevada .....     |
| 178              | Aug. 12, ...         | .....                 | James A. Bell.....            | Nevada .....     |
| 179              | Aug. 12, ...         | .....                 | James A. Bell.....            | Nevada .....     |
| 180              | June 21, '52         | } S. A. McMeans..     | S. A. McMeans .....           | Sacramento.....  |
| 180              | July 12, '53         |                       | O. K. Levings .....           | Sacramento.....  |
| *180             | June 29, '55         | } S. A. McMeans ..... | W. J. Barfield.....           | Merced.....      |
| 181              | June 21, '52         |                       | Selden A. McMeans             | Sacramento.....  |
| 181              | July 12, '53         | .....                 | O. K. Levings.....            | Sacramento.....  |
| *181             | June 29, '55         | .....                 | W. J. Barfield .....          | Merced .....     |
| 182              | May 18, '53          | E. Casserly .....     | Eugene Casserly ...           | Marin .....      |
| 183              | May 18, ...          | E. Casserly .....     | Eugene Casserly ...           | Marin .....      |
| 184              | May 18, ...          | E. Casserly .....     | Eugene Casserly ...           | Marin .....      |
| 185              | May 18, ...          | E. Casserly .....     | Eugene Casserly ...           | Marin .....      |
| 188              | June 23, '52         | Levi Goodrich.....    | Levi Goodrich .....           | Santa Clara..... |
| 189              | June 23, ...         | Levi Goodrich .....   | Levi Goodrich.....            | Santa Clara..... |
| 190              | June 23, ...         | Levi Goodrich .....   | Levi Goodrich.....            | Santa Clara..... |
| 191              | June 23, ...         | Levi Goodrich.....    | Levi Goodrich.....            | Santa Clara..... |
| 192              | June 19, '52         | Dennis G. Weston...   | Dennis G. Weston...           | Sacramento ..... |
| 193              | June 19, ...         | Dennis G. Weston...   | Dennis G. Weston...           | Sacramento ..... |
| †194             | Aug. 13, '58         | .....                 | Walkup & Wynam..              | Placer .....     |
| †195             | Aug. 13, ...         | .....                 | Walkup & Wynam..              | Placer .....     |
| 196              | July 31, '52         | .....                 | Alex. M. Preston...           | Klamath .....    |
| 197              | July 31, ...         | .....                 | Alex. M. Preston...           | Klamath .....    |
| †198             | April 16, '56        | .....                 | .....                         | .....            |
| †199             | April 16, '56        | .....                 | .....                         | .....            |
| a200             | .....                | T. B. Van Buren ...   | Philip Zimmerman ..           | Solano.....      |
| †200             | Dec. 7, '58          | .....                 | J. Granville Doll....         | Tehama .....     |
| a201             | .....                | T. B. Van Buren ...   | Philip Zimmerman..            | Solano.....      |
| †201             | Dec. 7, '58          | .....                 | J. Granville Doll....         | Tehama .....     |
| 202              | July 27, '52         | S. Cooper.....        | A. Riddell.....               | Contra Costa.... |

\* Final location in Register's Office at San Francisco.

† Final location in Register's Office at Marysville,

a Date not given.

| No. of<br>arr't | Date of<br>Location. | To whom Issued.     | For whom Located.     | County.          |
|-----------------|----------------------|---------------------|-----------------------|------------------|
| 202             | Sept. 21, '58        | .....               | John McMullin .....   | San Joaquin ...  |
| 203             | July 27, '52         | .....               | A Riddell .....       | Contra Costa...  |
| 203             | Sept. 20, '58        | .....               | John McMullin .....   | San Joaquin....  |
| 204             | July 16, '52         | Dudley C. Bryan ... | D. C. Bryan.....      | Sonoma.....      |
| 204             | Oct. 9, '52          | .....               | S. C. Hastings .....  | Solano.....      |
| 205             | July 16, '52         | D. C. Bryan.....    | D. C. Bryan.....      | Sonoma.....      |
| 205             | Oct. 9, '52          | .....               | S. C. Hastings .....  | Solano.....      |
| 206             | July 16, '52         | D. C. Bryan.....    | S. C. Hastings.....   | Sonoma.....      |
| 206             | Oct. 9, '52          | .....               | S. C. Hastings.....   | Solano.....      |
| 207             | July 16, '52         | D. C. Bryan.....    | S. C. Hastings.....   | Sonoma.....      |
| 207             | Oct. 9, '52          | .....               | S. C. Hastings.....   | Solano.....      |
| 208             | July 6, '53          | .....               | S. C. Field .....     | Solano.....      |
| 208             | Jan. 17, '54         | .....               | S. C. Field .....     | Solano.....      |
| 209             | July 6, '53          | .....               | S. C. Field .....     | Solano.....      |
| 209             | Jan. 17, '54         | .....               | S. C. Field .....     | Solano.....      |
| 210             | June 30, '52         | .....               | Harvey Porterfield..  | Yolo .....       |
| 210             | Dec. 6, '58          | .....               | John W. Porterfield   | Yolo .....       |
| 211             | July 15, '52         | .....               | John F. Hinkson ..    | Tuolumne.....    |
| 211             | May 14, '57          | .....               | Charles Dallas.....   | Stanislaus.....  |
| 212             | July 15, '52         | .....               | John F. Hinkson ..    | Tuolumne.....    |
| 212             | May 14, '57          | .....               | Charles Dallas.....   | Stanislaus.....  |
| 213             | Oct. 20, '52         | .....               | G. Vance Weaver...    | Santa Cruz.....  |
| 214             | Sept. 8, '56         | G. Vance Weaver ..  | Dubendiss & Hames     | Santa Cruz.....  |
| 215             | Sept. 8, '56         | G. Vance Weaver ..  | Dubendiss & Hames     | Santa Cruz.....  |
| 216             | June 26, '52         | .....               | Prewett Sinclair..... | Santa Cruz.....  |
| 216             | Jan. 8, '56          | .....               | Elisha Packwood...    | Tulare.....      |
| 217             | Jan. 8, '56          | .....               | Elisha Packwood...    | Tulare.....      |
| 218             | June 21, '52         | S. A. McMeans ..... | Selden A. McMeans     | Sacramento ..... |
| 218             | July 5, '53          | S. A. McMeans ..... | Hamilton & Thorne     | Contra Costa ... |
| 221             | June 28, '52         | .....               | Rollins .....         | Solano.....      |
| 221             | Nov. 6, '54          | .....               | J. M. Bowles .....    | Colusa.....      |
| 222             | June 28, '52         | .....               | Rollins .....         | Solano.....      |
| 222             | Nov. 6, '54          | .....               | Joseph M. Bowles..    | Colusa.....      |
| 223             | June 28, '52         | .....               | Rollins .....         | Solano.....      |
| 223             | Dec. 1, '54          | .....               | Rollins ..            | Colusa.....      |
| 224             | June 28, '52         | .....               | Rollins .....         | Solano.....      |
| 224             | Dec. 1, '54          | .....               | Rollins .....         | Colusa.....      |
| 225             | Jan. 8, '56          | .....               | Elisha Packwood       | Trinity .....    |
| 226             | May 31, '53          | John G. Marvin..... | Ryan & Duff .....     | Trinity .....    |
| 227             | May 31, ....         | John G. Marvin..... | Ryan & Duff .....     | Trinity .....    |
| 228             | Dec. 13, '52         | John G. Marvin..... | Peter Tracey.....     | Santa Cruz.....  |
| 229             | July 1, ....         | Chas. H. Ross ..... | Chas. H. Ross .....   | Sacramento ..... |
| 230             | July 1, ....         | Chas. H. Ross ..... | Chas. H. Ross .....   | Sacramento ..... |
| 231             | Nov. 25, ....        | .....               | W. Blackburn .....    | Santa Cruz.....  |
| 232             | Nov. 25, ....        | .....               | W. Blackburn .....    | Santa Cruz.....  |
| 233             | Nov. 26, ....        | I. C. Woods .....   | Albert G. Kimball ..  | Tuolumne.....    |

\* Final location in Register's Office at San Francisco.

† Final location in Register's Office at Marysville.

‡ Final location in Register's Office at Marysville, April 16, 1856.

§ Final location in Register's Office at Stockton.

| No. of<br>warr't | Date of<br>Location. | To whom Issued.       | For whom Located.      | County.           |
|------------------|----------------------|-----------------------|------------------------|-------------------|
| *233             | Sept. 28, '57        | .....                 | Thos. P. Madden ..     | Tulare .....      |
| 234              | Nov. 26, '52         | I. C. Woods .....     | Albert G. Kimball ..   | Tuolumne .....    |
| *234             | Sept. 28, '57        | .....                 | Thos. Madden .....     | Tulare .....      |
| 235              | Sept. 19, '53        | I. C. Woods .....     | Jonathan Clark .....   | Trinity .....     |
| *235             | Mar. 16, '55         | .....                 | Jonathan Clark .....   | Trinity .....     |
| †236             | Dec. 20, '56         | I. C. Woods .....     | Elmus Nichols .....    | Shasta .....      |
| 237              | Oct. 25, '52         | Henry Reed .....      | Geo. M Bonds .....     | Tuolumne .....    |
| *237             | Mar. 27, '57         | .....                 | Geo. M. Bonds .....    | Tuolumne .....    |
| 238              | Oct. 25, '52         | Henry Reed .....      | Geo. M. Bonds .....    | Tuolumne .....    |
| *238             | Mar. 27, '57         | .....                 | Geo. M. Bonds .....    | Tuolumne .....    |
| 239              | July 7, '53          | .....                 | L. D. Vinsonhaler ..   | Mariposa .....    |
| *239             | July 23, '55         | .....                 | L. D. Vinsonhaler ..   | Mariposa .....    |
| 240              | July 7, '53          | .....                 | L. D. Vinsonhaler ..   | Mariposa .....    |
| 240              | Aug. 3, ...          | J. M. Coughlin .....  | A. Lee Bours .....     | San Joaquin ..... |
| 241              | Aug. 3, ...          | J. M. Coughlin .....  | A. Lee Bours .....     | San Joaquin ..... |
| *241             | Jan. 7, '56          | .....                 | H. J. Davis .....      | Humboldt .....    |
| *242             | Jan. 7, ...          | .....                 | H. J. Davis .....      | Humboldt .....    |
| 243              | June 28, '53         | .....                 | Edward C. Downing      | Solano .....      |
| 244              | June 28, ...         | .....                 | Edward C. Downing      | Solano .....      |
| 245              | Nov. 6, '52          | G. Allen .....        | George Allen .....     | Butte .....       |
| 245              | June 4, '53          | .....                 | José M. Alviso .....   | Santa Clara ..... |
| 246              | Nov. 6, '52          | G. Allen .....        | George Allen .....     | Butte .....       |
| 246              | June 4, '53          | .....                 | José M. Alviso .....   | Santa Clara ..... |
| †247             | Nov. 10, '56         | .....                 | Ward Bradford .....    | Klamath .....     |
| 248              | May 23, '55          | P. Rice .....         | Peter Rice .....       | Marin .....       |
| *249             | Mar. 16, '53         | .....                 | Annis M. Huestis ..    | Humboldt .....    |
| †250             | May 31, '53          | C. D. Judah .....     | Ryan & Duff .....      | Trinity .....     |
| †251             | May 31, ...          | C. D. Judah .....     | Ryan & Duff .....      | Trinity .....     |
| †252             | May 31, ...          | C. D. Judah .....     | Ryan & Duff .....      | Trinity .....     |
| *253             | July 21, '52         | J. P. Vaughn .....    | Vaughn & Sozan .....   | Solano .....      |
| *254             | July 21, ...         | J. P. Vaughn .....    | Vaughn & Sozan .....   | Solano .....      |
| *255             | June 5, '55          | .....                 | Harvey Porterfield ..  | Yolo .....        |
| †255             | Dec. 6, '58          | .....                 | John W. Porterfield    | Yolo .....        |
| 256              | July 12, '53         | A. D. Patterson ..... | Abner Wade .....       | Sacramento .....  |
| §256             | Sept. 16, '56        | .....                 | Alex. Stevenson .....  | Sacramento .....  |
| 257              | Oct. 27, '52         | A. D. Patterson ..... | John A. Benson .....   | Sacramento .....  |
| *257             | Jan. 22, '58         | .....                 | John A. Benson .....   | Tulare .....      |
| 258              | Aug. 12, '56         | A. D. Patterson ..... | James Hughes .....     | Colusa .....      |
| 259              | Aug. 12, ...         | A. D. Patterson ..... | James Hughes .....     | Colusa .....      |
| 260              | July 28, '52         | .....                 | Milton Wolfskill ..... | Solano .....      |
| 261              | July 28, ...         | .....                 | Milton Wolfskill ..... | Solano .....      |
| 261              | Aug. 8, '53          | A. J. F. Phelan ..... | James Pratt .....      | San Francisco ..  |
| 262              | .....                | .....                 | .....                  | .....             |
| †263             | Mar. 6, '56          | .....                 | .....                  | .....             |
| †264             | Mar. 6, ...          | .....                 | .....                  | .....             |
| †265             | Mar. 6, ...          | .....                 | .....                  | .....             |

\* Final location in Register's Office at San Francisco.

† Final location in Register's Office at Marysville.

‡ Final location in Register's Office at Marysville, April 16, 1856.

§ Final location in Register's Office at Stockton.

| N. of<br>warr't | Date of<br>Location. | To whom Issued.       | For whom Located.      | County.         |
|-----------------|----------------------|-----------------------|------------------------|-----------------|
| 266             | Dec. 22, '58         | H. Washington.....    | Fred. W. Franz.....    | Sonoma .....    |
| 267             | June 9, '53          | J. Walkup.....        | Joseph Walkup.....     | Placer .....    |
| a268            | Sept. 11, '52        | A. C. Bradford.....   | E. H. Comstock.....    | San Joaquin.... |
| 268             | Aug. 27, '55         | .....                 | E. H. Comstock.....    | San Joaquin.... |
| *268            | Ap'l 14, '56         | .....                 | E. H. Comstock.....    | San Joaquin.... |
| 269             | Oct. 4, '52          | A. C. Bradford.....   | Allen Cadwallader..    | Calaveras.....  |
| 269             | Jan. 30, '56         | .....                 | Allen Cadwallader..    | Santa Clara.... |
| 270             | Oct. 4, '52          | A. C. Bradford.....   | Allen Cadwallader..    | Calaveras.....  |
| 270             | Jan. 30, '56         | .....                 | Allen Cadwallader..    | Santa Clara.... |
| 271             | Sept. 11, '52        | A. C. Bradford.....   | E. H. Comstock.....    | San Joaquin.... |
| 271             | Aug. 27, '55         | .....                 | E. H. Comstock.....    | San Joaquin.... |
| *271            | Ap'l 14, '56         | .....                 | E. H. Comstock.....    | San Joaquin.... |
| *272            | Oct. 17, '55         | .....                 | Nathan Barbour....     | Solano .....    |
| 273             | Dec. 22, '58         | .....                 | Fred. W. Franz.....    | Sonoma .....    |
| 274             | Sept. 15, '52        | Ed. Byrne.....        | V. Seaman.....         | Mendocino ..... |
| 274             | Nov. 16, '54         | .....                 | Isaiah Hanson.....     | Solano .....    |
| *274            | Mar. 1, '56          | .....                 | G. Van Valkenburgh     | San Joaquin.... |
| 275             | Sept. 18, '52        | .....                 | Charles Hopper.....    | Napa .....      |
| 276             | Sept. 18, ...        | .....                 | Charles Hopper.....    | Napa .....      |
| 277             | Oct. 22, '53         | Chas. Scholfield..... | Zachariah Jones....    | Santa Clara.... |
| 278             | .....                | .....                 | Fred. W. Franz.....    | Sonoma .....    |
| *279            | Sept. 13, '53        | .....                 | David T. Bird.....     | Yolo .....      |
| 280             | Sept. 13, ...        | .....                 | David T. Bird.....     | Yolo .....      |
| 281             | Sept. 11, '52        | E. H. Comstock.....   | E. H. Comstock.....    | San Joaquin.... |
| 281             | Aug. 27, '55         | .....                 | E. H. Comstock.....    | San Joaquin.... |
| *281            | Ap'l 14, '56         | .....                 | E. H. Comstock.....    | San Joaquin.... |
| 282             | Sept. 11, '52        | E. H. Comstock.....   | E. H. Comstock.....    | San Joaquin.... |
| 282             | Aug. 27, '55         | .....                 | E. H. Comstock.....    | San Joaquin.... |
| *282            | Ap'l 14, '56         | .....                 | E. H. Comstock.....    | San Joaquin.... |
| *283            | Nov. 23, '55         | .....                 | John Cutler.....       | Tulare .....    |
| *284            | Nov. 23, ...         | .....                 | John Cutler.....       | Tulare .....    |
| *285            | Oct. 26, '57         | .....                 | George T. Shipp....    | Tulare .....    |
| *286            | Oct. 26, '57         | .....                 | John Cutler.....       | Tulare .....    |
| 287             | Oct. 16, '52         | Jas. L. Carnduff....  | Jas. L. Carnduff....   | San Joaquin.... |
| 288             | Oct. 15, ...         | Jas. L. Carnduff....  | Jas. L. Carnduff....   | San Joaquin.... |
| 289             | Oct. 20, ...         | .....                 | Benj. Richards.....    | Santa Cruz....  |
| 290             | Oct. 17, ...         | G. R. Morris.....     | G. R. Morris.....      | Marin .....     |
| 290             | June 23, '57         | .....                 | Jas. F. Griffiths..... | Los Angeles.... |
| 291             | Oct. 17, '52         | G. R. Morris.....     | Geo. R. Morris.....    | Marin .....     |
| 291             | June 23, '57         | .....                 | Jas. F. Griffiths..... | Los Angeles.... |
| 292             | Oct. 17, '52         | G. R. Morris.....     | Geo. R. Morris.....    | Marin .....     |
| d292            | Mar. 6, '57          | .....                 | H. P. Gallagher....    | Santa Clara.... |
| 293             | Feb. 10, '53         | John Perry.....       | N. H. Stockton.....    | Santa Cruz....  |
| *293            | Oct. 26, '57         | .....                 | F. H. Woods.....       | Solano .....    |
| *294            | Ap'l 25, '53         | John Perry.....       | Elisha Packwood..      | Tulare .....    |
| *295            | Jan. 8, '56          | .....                 | Elisha Packwood..      | Tulare .....    |
| *296            | Jan. 8, ...          | .....                 | Elisha Packwood..      | Tulare .....    |

\* Final location in Register's Office at San Francisco.

a Final location in Register's Office at Marysville, April 10, 1856.

d Final location in Register's Office at Marysville, May 14, 1853.



| No. of<br>warr't | Date of<br>Location. | To whom Issued.      | For whom Located.    | County.         |
|------------------|----------------------|----------------------|----------------------|-----------------|
| *297             | Jan. 7, '53          | W. Blook.....        | Elisha Packwood...   | Tulare.....     |
| *298             | Jan. 7, ...          | .....                | Elisha Packwood...   | Tulare .. ..    |
| *300             | Ap'l 25, ...         | .....                | Elisha Packwood...   | Tulare.....     |
| 301              | May 14, ...          | A. G. Kimball.....   | A. G. Kimball.....   | Marin.....      |
| 301              | Sept. 19, '57        | .....                | David Haskill.....   | San Joaquin.... |
| 302              | May 14, '53          | A. G. Kimball.....   | A. G. Kimball.....   | Marin.....      |
| 302              | Sept. 19, '57        | .....                | David Haskill.....   | San Joaquin.... |
| 303              | May 14, '53          | A. G. Kimball.....   | A. G. Kimball.....   | Marin.....      |
| 304              | May 14, ...          | A. G. Kimball.....   | A. G. Kimball.....   | Marin.....      |
| 305              | May 20, ...          | M. F. Groves.....    | Martin F. Groves...  | Marin.....      |
| 306              | May 20, ...          | M. F. Groves.....    | Martin F. Groves...  | Marin .....     |
| 307              | May 20, ...          | M. F. Groves.....    | Martin F. Groves...  | Marin.....      |
| a308             | May 17, ...          | M. F. Groves.....    | Martin F. Groves...  | Marin.....      |
| b309             | May 19, ...          | Alfred French.....   | Alfred French.....   | Marin.....      |
| 310              | May 16, ...          | Alfred French.....   | Alfred French.....   | Marin.....      |
| 310              | Nov. 9, '57          | .....                | Geo. Hansen.....     | Los Angeles.... |
| 311              | May 16, '53          | Alfred French.....   | Alfred French.....   | Marin.....      |
| 311              | Nov. 9, '57          | Alfred French.....   | Geo. Hansen.....     | Los Angeles.... |
| b312             | May 19, '53          | .....                | Alfred French.....   | Marin.....      |
| 313              | May 20, ...          | J. S. Chipman.....   | John S. Chipman...   | Marin.....      |
| 314              | May 20, ...          | J. S. Chipman.....   | John S. Chipman...   | Marin.....      |
| *314             | Jan. 12, '58         | .....                | John B. Coreanover   | Merced .....    |
| 315              | May 20, '53          | J. S. Chipman.....   | John S. Chipman...   | Marin.....      |
| 316              | May 20, ...          | J. S. Chipman.....   | John S. Chipman...   | Marin.....      |
| *316             | Jan. 12, '58         | .....                | John B. Coreanover   | Merced .....    |
| 317              | May 16, '53          | Chas. H. Smith.....  | C. H. Smith.....     | Marin.....      |
| 318              | May 16, ...          | Chas. H. Smith.....  | C. H. Smith.....     | Marin.....      |
| 319              | May 16, ...          | Chas. H. Smith.....  | C. H. Smith.....     | Marin.....      |
| 320              | May 16, ...          | Chas. H. Smith.....  | C. H. Smith.....     | Marin.....      |
| c320             | Oct. 5, ...          | .....                | John Morrison.....   | Yolo .....      |
| 321              | May 19, ...          | Benjamin Smith.....  | Benj. Smith.....     | Marin.....      |
| c321             | Oct. 5, ...          | .....                | John Morrison.....   | Yolo .....      |
| 322              | May 3, ...           | Giles E. Strong..... | Giles E. Strong..... | Trinity .....   |
| 322              | Oct. 20, '58         | .....                | John Quick.....      | Humboldt.....   |
| 323              | May 3, '53           | Giles E. Strong..... | Giles E. Strong..... | Trinity .....   |
| 323              | Oct. 20, '58         | .....                | John Quick.....      | Humboldt.....   |
| 324              | May 9, '53           | Giles E. Strong..... | T. D. Felt.....      | Trinity .....   |
| †325             | May 9, ...           | .....                | T. D. Felt.....      | Trinity .....   |
| 326              | Jan. 1, ...          | W. Warner.....       | Henry Matthews...    | Contra Costa... |
| *326             | May 30, '56          | .....                | Jacob Grundike.....  | San Joaquin.... |
| 327              | Dec. 13, '52         | W. Warner.....       | Peter Tracey.....    | Santa Cruz..... |
| 328              | Feb. 10, '53         | W. Warner.....       | Susan Clark.....     | Trinity .....   |
| *328             | Mar. 16, '55         | W. Warner.....       | Susan Clark.....     | Humboldt.....   |
| 329              | Dec. 13, '52         | W. Warner.....       | Peter Tracey.....    | Santa Cruz..... |
| †330             | Jan. 19, '53         | Jas. Trimble.....    | Cox and others.....  | Placer.....     |
| 331              | Jan. 1, ...          | Jas. Trimble.....    | Henry Matthews....   | Contra Costa... |

\* Final location in Register's Office at San Francisco.

† Final location in Register's Office at Marysville.

a Final location in Register's Office at Marysville, May 1, 1856.

b Final location in Register's Office at Marysville, April 24, 1856.

c Informal.

| No. of<br>warr't | Date of<br>Location. | To whom Issued.      | For whom Located.          | County.          |
|------------------|----------------------|----------------------|----------------------------|------------------|
| 331              | May 30, '56          | .....                | Jacob Grundike.....        | San Joaquin..... |
| 332              | July 16, '53         | Jas. Trimble.....    | Hiram Pearson.....         | San Francisco..  |
| 333              | July 14, ...         | Jas. Trimble.....    | Hiram Pearson.....         | San Francisco..  |
| †334             | Jan. 19, ...         | C. B. Young.....     | Cox and others.....        | Placer .....     |
| †335             | Jan. 19, ...         | .....                | Cox and others.....        | Placer .....     |
| 336              | Nov. 19, '52         | .....                | Vaughn and others..        | Solano .....     |
| 337              | Nov. 19, ...         | .....                | Vaughn and others..        | Solano .....     |
| a338             | Feb. 24, '53         | M. Sparks .....      | M. Sparks .....            | Sutter .....     |
| a339             | Feb. 24, ...         | M. Sparks .....      | M. Sparks .....            | Sutter .....     |
| 340              | Jan. 22, '53         | M. Sparks .....      | M. Sparks .....            | Sutter .....     |
| 341              | Jan. 22, ...         | M. Sparks .....      | M. Sparks .....            | Sutter .....     |
| *342             | Jan. 8, '56          | .....                | Elisha Packwood...         | Tulare .....     |
| *343             | Feb. 14, '57         | .....                | A. P. Jackson .....        | Solano .....     |
| 344              | July 7, '53          | Ira Yale.....        | Elisha Packwood...         | Tulare .....     |
| 345              | July 16, ...         | Ira Yale.....        | Joseph Ross.....           | Humboldt .....   |
| 346              | Nov. 14, '52         | Tobias Kadel.....    | Tobias Kadel.....          | Sacramento.....  |
| 347              | Nov. 14, ...         | Tobias Kadel.....    | Tobias Kadel.....          | Sacramento.....  |
| 348              | Nov. 24, ...         | .....                | J. Woods.....              | Solano .....     |
| 349              | Nov. 24, ...         | .....                | J. Woods.....              | Solano .....     |
| 350              | Nov. 24, ...         | .....                | J. Woods.....              | Solano .....     |
| 351              | Nov. 24, ...         | .....                | J. Woods.....              | Solano .....     |
| 352              | Mar. 30, '53         | .....                | Joseph Roadhouse..         | Monterey .....   |
| 353              | Dec. 11, '52         | A. L. Moulder.....   | Thomas Fallon.....         | Santa Cruz.....  |
| 354              | Dec. 11, ...         | A. L. Moulder.....   | Thomas Fallon.....         | Santa Cruz.....  |
| 355              | Feb. 10, '53         | A. L. Moulder.....   | N. H. Stockton.....        | Santa Cruz.....  |
| *355             | Oct. 26, '55         | .....                | F. H. Woods.....           | Solano .....     |
| 356              | Nov. 28, '52         | .....                | James Kennedy.....         | Contra Costa...  |
| 357              | Nov. 28, ...         | .....                | James Kennedy.....         | Contra Costa...  |
| 358              | Dec. 21, ...         | R. H. Stinton.....   | Kennedy and Camp-<br>[bell | Contra Costa...  |
| 359              | Dec. 21, ...         | R. H. Stinton.....   | " "                        | Contra Costa...  |
| 360              | Mar. 30, '53         | .....                | Joseph Roadhouse..         | Monterey .....   |
| 361              | Mar. 11, ...         | Jas. H. Jenkins..... | Addison C. Hinkson         | Santa Clara..... |
| 362              | Mar. 30, ...         | .....                | Joseph Roadhouse..         | Monterey .....   |
| 363              | Mar. 11, ...         | Jas. H. Jenkins..... | Addison C. Hinkson         | Santa Clara..... |
| 364              | Mar. 11, ...         | Jas. H. Jenkins..... | Addison C. Hinkson         | Santa Clara..... |
| 365              | July 25, ...         | J. E. Addison.....   | H. Meiggs .....            | San Francisco... |
| d365             | Sept. 8, '56         | .....                | Hames and Dubend-<br>[diss | Santa Cruz.....  |
| 366              | July 25, '53         | J. E. Addison.....   | H. Meiggs .....            | San Francisco..  |
| *366             | Ap'l 2, '56          | .....                | Solman A. Benton...        | San Joaquin ...  |
| 367              | Ap'l 7, '53          | J. E. Addison.....   | Hiram Pearson.....         | San Francisco..  |
| 368              | Jan. 3, ...          | E. B. Clement.....   | Robert Dyson .....         | San Francisco... |
| 368              | Mar. 31, '57         | .....                | Alfred J. Carter.....      | Tehama .....     |
| †368             | Nov. 13, '58         | .....                | Alfred J. Carter.....      | Tehama .....     |
| 369              | Dec. 3, '52          | E. B. Clement.....   | Charles W. Cook.....       | Contra Costa...  |

\* Final location in the U. S. Register's Office at San Francisco.

† Final location in the U. S. Register's Office at Marysville.

a Final location in the U. S. Register's Office at Marysville, July 19, 1858.

d Located in San Francisco County and discharged.



| No. of<br>warr't | Date of<br>Location. | To whom Issued.    | For whom Located.     | County.           |
|------------------|----------------------|--------------------|-----------------------|-------------------|
| 369              | Nov. 2, '57          | .....              | F. H. Woods.....      | Solano .....      |
| 370              | Mar. 30, '53         | .....              | Joseph Roadhouse...   | Monterey .....    |
| 371              | Dec. 3, '52          | E. B. Clement..... | Charles W. Cook....   | Contra Costa ...  |
| 371              | Aug. 11, '53         | .....              | Adams and Welsh...    | Santa Clara ....  |
| *371             | Nov. 9, '55          | .....              | J. W. Fitzhugh.....   | Merced .....      |
| 372              | Dec. 6, '52          | Tobias Kadel.....  | Tobias Kadel.....     | Sacramento.....   |
| 373              | Jan. 24, '53         | Nye and Kitteridge | W. G. Malthus.....    | Solano .....      |
| 374              | Jan. 24, ...         | Nye and Kitteridge | W. G. Malthus.....    | Solano .....      |
| 375              | Nov. 16, '52         | G. W. Crum .....   | G. W. Crum .....      | Sacramento.....   |
| 376              | Nov. 16, ...         | G. W. Crum .....   | G. W. Crum .....      | Sacramento.....   |
| 377              | Nov. 16, ...         | G. W. Crum .....   | G. W. Crum .....      | Sacramento.....   |
| 378              | Mar. 30, '53         | .....              | Skinner, French and   | .....             |
|                  |                      |                    | [Bennett              | Monterey .....    |
| 379              | Mar. 30, ...         | .....              | " " "                 | Monterey .....    |
| 380              | Mar. 30, ...         | .....              | " " "                 | Monterey .....    |
| 380              | Feb. 20, '56         | H. C. Skinner..... | Francis S. McGinn..   | Santa Clara ....  |
| 381              | Feb. 20, ...         | H. C. Skinner..... | Francis S. McGinn..   | Santa Clara ....  |
| 382              | Feb. 5, '53          | .....              | S. B. Sheldon.....    | Shasta .....      |
| 383              | Feb. 5, ...          | .....              | S. B. Sheldon.....    | Shasta .....      |
| 384              | Jan. 17, '54         | Geo. Gates.....    | George Ketchum...     | Tuolumne .....    |
| 385              | Jan. 17, ...         | Geo. Gates.....    | George Ketchum...     | Tuolumne .....    |
| 386              | Jan. 17, ...         | Geo. Gates.....    | Charles M. Radcliff.. | Tuolumne .....    |
| 387              | Jan. 17, ...         | Geo. Gates.....    | Charles M. Radcliff.. | Tuolumne .....    |
| 388              | Jan. 20, '53         | L. Humphrey.....   | Albert G. Lawrence    | Tuolumne .....    |
| 388              | Mar. 30, ...         | .....              | Skinner, French and   | .....             |
|                  |                      |                    | Bennett .....         | Monterey .....    |
| 389              | Jan. 20, ...         | L. Humphrey.....   | Albert G. Lawrence    | Tuolumne.....     |
| 390              | Jan. 20, ...         | L. Humphrey.....   | Green T. Martin....   | Tuolumne.....     |
| †390             | May 1, '56           | .....              | .....                 | .....             |
| 391              | Jan. 21, '53         | L. Humphrey.....   | Green T. Martin.....  | Tuolumne.....     |
| 391              | Mar. 31, '57         | L. Humphrey.....   | A. G. Carter.....     | Tehama .....      |
| †391             | Nov. 13, '58         | L. Humphrey.....   | A. G. Carter .....    | Tehama .....      |
| 392              | July 21, '53         | J. B. Devoe .....  | Benj. F. Moulton....  | Tuolumne .....    |
| a392             | June 12, ...         | J. B. Devoe.....   | Joseph Haywood....    | Colusa .....      |
| 393              | Jan. 21, ...         | J. B. Devoe.....   | Benj. F. Moulton....  | Tuolumne.....     |
| a393             | June 12, ...         | J. B. Devoe.....   | Joseph Haywood....    | Colusa .....      |
| 394              | April 23, ...        | W. F. Hester.....  | Wm. F. Hester.....    | Santa Cruz.....   |
| 394              | Mar. 6, '57          | W. F. Hester.....  | Hugh P. Gallagher..   | Santa Clara.....  |
| 395              | Ap'l 23, '53         | W. F. Hester.....  | Wm. F. Hester.....    | Santa Cruz.....   |
| 395              | March 6, '57         | W. F. Hester.....  | H. P. Gallagher.....  | Santa Clara ..... |
| d396             | July 13, '55         | W. F. McDermott... | Wm. F. McDermott      | San Joaquin.....  |
| *396             | Mar. 7, ...          | .....              | Wm. F. McDermott      | San Joaquin.....  |
| 397              | Feb. 5, '53          | .....              | Wm. F. McDermott      | San Joaquin.....  |
| u397             | March 7, '56         | .....              | Wm. F. McDermott      | San Joaquin.....  |
| 398              | July 14, '53         | .....              | Hiram Pearson.....    | San Francisco..   |
| 399              | April 8, ...         | Edward Welsh.....  | Hiram Pearson.....    | San Francisco..   |

\* Final location in U. S. Register's Office at San Francisco.

† Final location in U. S. Register's Office at Marysville.

a Final location in U. S. Register's Office at Marysville, May 14, 1853.

d Floated, original location on Section 36.

u Original location on Section 36—in Register's Office, San Francisco.

| No. of<br>warr't | Date of<br>Location. | To whom Issued.       | For whom Located.     | County.          |
|------------------|----------------------|-----------------------|-----------------------|------------------|
| 400              | Jan. 21, '53         | W. M. Eddy.....       | Wm. Hammond.....      | Tuolumne.....    |
| *400             | Oct. 13, '55         | .....                 | John E. Calhoun.....  | Los Angeles..... |
| 401              | Jan. 21, '53         | W. M. Eddy.....       | Wm. Hammond.....      | Tuolumne.....    |
| *401             | Oct. 13, '55         | .....                 | John E. Calhoun.....  | Los Angeles..... |
| †402             | Nov. 4, '54          | W. S. Sherwood.....   | David S. Terry.....   | San Joaquin..... |
| 403              | April 8, '53         | W. S. Sherwood.....   | Edward Seaman.....    | San Francisco..  |
| 406              | June 7, '53          | Jas. W. Robinson...   | G. H. Gluis.....      | Santa Cruz.....  |
| 409              | Jan. 24, '53         | Kitteridge & Nye...   | W. G. Malthus.....    | Solano .....     |
| 410              | Jan. 24, ...         | Kitteridge & Nye...   | W. G. Malthus.....    | Solano.....      |
| *412             | Sept. 2, '56         | .....                 | Caleb S. Fay.....     | Solano.....      |
| 413              | June 13, '53         | W. H. Grayham .....   | Chas. Bunker.....     | Marin .....      |
| 413              | Nov. 20, '56         | W. H. Grayham .....   | G. W. & E. H. Heard   | Siskiyou .....   |
| 414              | July 7, '53          | Philip Moore.....     | Elisha Packwood...    | Tulare .....     |
| a415             | May 31, ...          | John J. Hoff.....     | Duff & Ryan.....      | Trinity.....     |
| †416             | Sept. 20, '56        | .....                 | .....                 | .....            |
| *417             | July 6, '53          | A. S. Gould.....      | Elisha Packwood...    | Tulare.....      |
| 418              | July 6, ...          | A. S. Gould.....      | Elisha Packwood...    | Tulare .....     |
| 419              | Mar. 9, '57          | Charles A. Leake...   | P. A. McRae.....      | Butte.....       |
| †420             | Aug. 12, ...         | .....                 | John R. Nickel.....   | Del Norte.....   |
| 423              | Mar. 31, '58         | P. Canney.....        | Zenas Coffin.....     | Alameda.....     |
| u424             | July 27, '53         | W. S. Hughson.....    | Hays & Caperton...    | San Francisco..  |
| 424              | Oct. 4, '56          | W. S. Hughson.....    | Jos. E. N. Lewis...   | Butte.....       |
| 425              | July 15, '53         | Hiram Grimes.....     | Hiram Grimes.....     | Solano.....      |
| 426              | Jan. 14, '56         | W. S. Hughson.....    | J. Warren Hyde.....   | Colusa .....     |
| 427              | Jan. 14, ...         | W. S. Hughson.....    | J. Warren Hyde.....   | Colusa .....     |
| 428              | Sept. 1, '53         | Jacob Gruell.....     | M. R. Barber.....     | Contra Costa...  |
| *428             | Aug. 21, '57         | .....                 | John W. Laird.....    | Stanislaus.....  |
| u429             | Feb. 3, '54          | .....                 | Jas. Dill Galbraith.. | San Francisco..  |
| *429             | Feb. 6, '58          | .....                 | John C. Dent.....     | San Joaquin..... |
| u430             | Nov. 30, '54         | .....                 | .....                 | San Francisco..  |
| *430             | Feb. 6, '58          | .....                 | John C. Dent.....     | San Joaquin..... |
| u431             | Nov. 30, '54         | .....                 | .....                 | San Francisco..  |
| u432             | Nov. 30, ...         | .....                 | .....                 | .....            |
| 434              | June 13, '53         | W. M. Eddy .....      | Wm. R. Wells.....     | Marin .....      |
| 434              | Mar. 8, '57          | W. M. Eddy.....       | Joseph P. Vaughn..    | Nevada .....     |
| 435              | Mar. 28, '53         | Joseph Bidleman...    | Leonard Frost.....    | Santa Clara..... |
| 436              | Mar. 28, ...         | Joseph Bidleman...    | Leonard Frost.....    | Santa Clara..... |
| 437              | Aug. 31, ...         | J. C. B. Stanley..... | G. H. Woodruff.....   | Calaveras .....  |
| 438              | Aug. 31, ...         | J. C. B. Stanley..... | G. H. Woodruff.....   | Calaveras .....  |
| 439              | Oct. 17, ...         | J. C. B. Stanley..... | Albion F. Gordon...   | Santa Cruz.....  |
| 440              | July 15, ...         | .....                 | Hiram Grimes.....     | Solano .....     |
| 441              | May 31, ...          | E. C. Dowdigan .....  | Ryan & Duff.....      | Trinity .....    |
| §441             | Oct. 14, '58         | .....                 | Andrew Harrar.....    | Humboldt.....    |
| 443              | July 5, '53          | Wm. M. Smith.....     | Hamilton & Thorne     | Contra Costa...  |
| *443             | Nov. 2, '57          | .....                 | F. H. Woods.....      | Solano.....      |
| u444             | July 27, '53         | V. E. Geiger .....    | Hays & Caperton...    | San Francisco..  |

\* Located in Register's Office, San Francisco.

† Located in Register's Office, Marysville.

‡ Located in Register's Office, Marysville, April 16, 1856.

§ Located in Register's Office, Humboldt.

u Informal.

| No. of<br>warr't | Date of<br>Location. | To whom Issued.       | For whom Located.     | County.           |
|------------------|----------------------|-----------------------|-----------------------|-------------------|
| *444             | Sept. 2, '56         | .....                 | Caleb S. Fay .....    | Solano.....       |
| 445              | July 27, '53         | .....                 | Thos. H. Holt.....    | Solano.....       |
| 446              | June 13, '56         | V. E. Geiger.....     | Charles Bunker.....   | Marin.....        |
| 446              | Aug. 20, '56         | V. E. Geiger.....     | Eben Fakon.....       | Santa Clara.....  |
| *448             | June 16, '53         | .....                 | Isaac Thomas .....    | Solano .....      |
| *449             | June 16, '53         | .....                 | Isaac Thomas .....    | Solano .....      |
| 450              | Feb. 24, '53         | W. S. Peirce.....     | Thos. T. Byrd.....    | Santa Cruz.....   |
| *450             | Oct. 23, '55         | .....                 | J. M. Montgomery..    | Merced .....      |
| 451              | Jan. 23, '53         | M. Biggs.....         | E. F. C. Kellogg..... | Napa .....        |
| 452              | Jan. 23, '53         | M. Biggs.....         | E. F. C. Kellogg..... | Napa .....        |
| 453              | Feb. 24, '53         | Wm. M. Smith .....    | Thos. T. Byrd.....    | Santa Cruz.....   |
| *453             | Oct. 23, '55         | .....                 | J. M. Montgomery..    | Merced .....      |
| 454              | Feb. 24, '54         | B. McAlpin .....      | Thos. T. Byrd.....    | Santa Cruz.....   |
| 454              | Dec. 31, '55         | B. McAlpin .....      | Alden Daly .....      | San Joaquin.....  |
| 454              | June 22, '58         | B. McAlpin .....      | James P. Sargent...   | Santa Clara ..... |
| 455              | Feb. 24, '53         | B. McAlpin .....      | Thos. T. Byrd.....    | Santa Clara ..... |
| *455             | Oct. 23, '55         | .....                 | Jenkins & Wheat...    | Merced .....      |
| †456             | Sept. 20 '56         | .....                 | .....                 | .....             |
| 457              | April 18, '53        | E. Berri .....        | Felix Argenti .....   | San Francisco..   |
| 458              | July 27, '53         | .....                 | Thomas H. Holt.....   | San Francisco..   |
| 459              | June 25, '53         | W. S. Peirce .....    | Peck & Heslep .....   | Marin .....       |
| *459             | Mar. 31, '56         | .....                 | Madison G. Drais...   | San Joaquin.....  |
| 460              | June 13, '53         | E. Waller.....        | W. R. Wells.....      | San Joaquin.....  |
| 460              | Mar. 31, '58         | .....                 | Zenas Coffin.....     | Alameda .....     |
| u461             | Mar. 15, '53         | .....                 | Jesse Boring .....    | San Francisco..   |
| 461              | May 23, '54          | .....                 | Gray Ranlett Austin   | San Francisco..   |
| 462              | May 25, '54          | Jesse Boring .....    | Nelson Taylor.....    | San Joaquin.....  |
| *462             | Mar. 1, '56          | .....                 | G. Van Valkenburgh    | San Joaquin.....  |
| 463              | Jan. 23, '53         | B. F. E. Kellogg..... | B. F. E. Kellogg..... | Napa .....        |
| 464              | April 2, '53         | .....                 | W. H. Stockton .....  | Monterey .....    |
| *464             | Oct. 23, '55         | .....                 | Jenkins & Wheat ..    | Merced .....      |
| 466              | Sept. 28, '53        | W. M. Smith .....     | O. M. Evans.....      | Butte .....       |
| 468              | Jan. 30, '54         | .....                 | J. P. McFarland.....  | Los Angeles ....  |
| *469             | Feb. 3, '54          | .....                 | J. P. McFarland.....  | Los Angeles.....  |
| 470              | Mar. 31, '56         | .....                 | Madison G. Drais...   | San Joaquin.....  |
| 471              | April 5, '53         | G. O. Ecker .....     | Henry Meiggs.....     | San Francisco..   |
| 472              | April 7, ...         | G. O. Ecker .....     | Hiram Pearson.....    | San Francisco..   |
| 473              | April 6, ...         | G. O. Ecker .....     | Edward Minturn...     | San Francisco..   |
| 474              | April 18, ...        | G. O. Ecker .....     | Felix Argenti .....   | San Francisco..   |
| 475              | Jan. 23, '58         | .....                 | George Young .....    | Tulare.....       |
| *477             | Jan. 23, ...         | .....                 | George Young .....    | Tulare.....       |
| 479              | Sept. 1, '53         | J. Gruell.....        | M. R. Barber.....     | Contra Costa...   |
| *479             | Aug. 21, '57         | .....                 | John W. Laird .....   | Stanislaus.....   |
| 480              | April 2, '53         | .....                 | W. H. Stockton.....   | Monterey .....    |
| 481              | April 2, ...         | .....                 | W. H. Stockton.....   | Monterey .....    |
| 481              | Nov. 9, '55          | .....                 | G. W. Fitzhugh.....   | Merced .....      |
| 482              | April 7, '53         | John Stentzel .....   | John Laffly .....     | Santa Cruz.....   |

\* Final location in U. S. Register's Office at San Francisco.

† Final location in U. S. Register's Office Marysville.

u Informal.

| No. of<br>warr't | Date of<br>Location. | To whom Issued.     | For whom Located.    | County.          |
|------------------|----------------------|---------------------|----------------------|------------------|
| 483              | April 7, '53         | John Stentzel ..... | John Laffly .....    | Santa Cruz.....  |
| <i>a</i> 484     | .....                | .....               | .....                | San Francisco..  |
| 484              | May 25, '54          | T. Browningjohn..   | Jonathan Parr .....  | Santa Clara..... |
| 485              | Apr'l 24, '57        | T. Browningjohn..   | G. P. Swift.....     | Colusa.....      |
| 486              | May 25, '54          | T. Browningjohn..   | Jonathan Parr .....  | Santa Clara..... |
| 487              | May 23, '54          | .....               | Gray Ranlett Austin  | San Francisco..  |
| 188              | May 3, '53           | .....               | Jonathan Clark ..... | Klamath .....    |
| 489              | Sept. 29, '53        | John Sedgely.....   | Jonathan Clark ..... | Humboldt.....    |
| *489             | Mar. 16, '55         | .....               | Jonathan Clark ..... | Humboldt .....   |
| 490              | Sept. 29, '53        | John Sedgely.....   | Jonathan Clark ..... | Humboldt .....   |
| *490             | Mar. 16, '55         | .....               | Jonathan Clark ..... | Humboldt .....   |
| †491             | April 16, '56        | .....               | .....                | .....            |
| †492             | April 16, ...        | .....               | .....                | .....            |
| 494              | Nov. 9, '57          | R. G. Flint.....    | Bernado Yerba.....   | Los Angeles....  |
| 497              | Nov. 5, '54          | T. H. Owen .....    | Robert Baker.....    | San Francisco..  |
| 499              | Mar. 23, '53         | .....               | Benj. F. Keene.....  | Sacramento.....  |
| 500              | Mar. 23, ...         | .....               | Benj. F. Keene.....  | Sacramento.....  |
| 501              | April 19, ...        | .....               | Selah Russell.....   | Sacramento.....  |
| 501              | Feb. 23, '57         | .....               | Selah Russell.....   | Sacramento.....  |
| 502              | April 19, '53        | .....               | Selah Russell.....   | Sacramento.....  |
| 502              | Feb. 23, '57         | .....               | Selah Russell.....   | Sacramento.....  |
| 503              | Mar. 23, '53         | .....               | Obed Harvey.....     | Sacramento.....  |
| 504              | April 19, '53        | .....               | Selah Russell.....   | Sacramento.....  |
| 504              | Feb. 23, '57         | .....               | Selah Russell.....   | Sacramento.....  |
| 505              | Mar. 23, '53         | .....               | Obed Harvey.....     | Sacramento.....  |
| 506              | Mar. 23, ...         | .....               | Obed Harvey.....     | Sacramento.....  |
| 507              | Mar. 19, ...         | .....               | John Rich.....       | San Joaquin..... |
| *507             | Feb. 19, '56         | .....               | Arthur Gribble.....  | San Joaquin..... |
| 508              | Mar. 19, '53         | .....               | John Rich .....      | San Joaquin..... |
| 508              | Feb. 19, '56         | .....               | Arthur Gribble.....  | San Joaquin..... |
| <i>a</i> 509     | Aug. 12, '53         | J. M. Leavenworth.. | Brower .....         | San Francisco..  |
| 509              | Mar. 31, '58         | .....               | Zenas Coffin.....    | Alameda .....    |
| <i>d</i> 510     | July 1, '54          | .....               | James Pratt.....     | San Francisco..  |
| 511              | Mar. 19, '53         | John Rich .....     | John Rich.....       | San Joaquin..... |
| *511             | Feb. 19, '56         | .....               | John Rich.....       | San Joaquin..... |
| 512              | Mar. 18, '53         | .....               | D. W. Berry.....     | Solano .....     |
| 513              | April 7, ...         | .....               | Wm. H. Nash.....     | Napa .....       |
| 514              | April 7, ...         | .....               | Wm. H. Nash.....     | Napa .....       |
| 515              | April 7, ...         | .....               | Wm. H. Nash.....     | Napa .....       |
| 516              | May, 13, 56          | .....               | R. B. Ellis.....     | Solano .....     |
| 517              | May 13, ....         | .....               | R. B. Ellis.....     | Solano .....     |
| *518             | July 10, '54         | .....               | S. C. Hastings.....  | Solano.....      |
| 520              | July 20, '53         | .....               | Eddy, Read, Ludlum   | San Francisco..  |
| *520             | Jan. 4, '58          | .....               | C. O. Richardson...  | Merced .....     |
| 521              | July 20, '53         | .....               | Eddy, Read, Ludlum   | San Francisco..  |
| 521              | Jan. 4, '58          | .....               | C. O. Richardson...  | Merced .....     |

\* Final location in the U. S. Register's Office at San Francisco.

† Final location in the U. S. Register's Office at Marysville.

*a* Informal.

*d* Final location in the U. S. Register's Office at San Francisco—May 11, 1853, located also in Marysville.



| No. of<br>warr't | Date of<br>Location. | To whom Issued.     | For whom Located.                 | County.          |
|------------------|----------------------|---------------------|-----------------------------------|------------------|
| 523              | July 28, '53         | .....               | A. C. Hastings.....               | Solano.....      |
| 523              | Aug. 3, ...          | .....               | B. Walker Bours....               | San Joaquin....  |
| 524              | July 28, ....        | .....               | S. C. Hastings.....               | Solano.....      |
| 524              | Aug. 3, ....         | .....               | B. Walker Bours....               | San Joaquin....  |
| 525              | July 27, ....        | .....               | Thomas R. Bours....               | San Joaquin....  |
| 525              | Feb. 20, '56         | .....               | John Y. Blackwell..               | San Joaquin....  |
| 526              | July 27, '53         | .....               | Thomas R. Bours....               | San Joaquin....  |
| 526              | Feb. 20, '56         | .....               | John Y. Blackwell..               | San Joaquin....  |
| 527              | June 29, '53         | .....               | S. C. Hastings.....               | Solano.....      |
| 527              | Aug. 3, ...          | D. T. Snyder.....   | B. W. Bours.....                  | San Joaquin....  |
| 528              | June 29, ...         | .....               | S. C. Hastings.....               | Solano.....      |
| 529              | June 29, ...         | .....               | S. C. Hastings.....               | Solano.....      |
| 530              | June 29, ...         | .....               | S. C. Hastings.....               | Solano.....      |
| 530              | Aug. 3, ...          | .....               | B. W. Bours.....                  | San Joaquin....  |
| 531              | July 23, ...         | .....               | S. C. Hastings.....               | Solano.....      |
| 532              | July 23, ...         | .....               | S. C. Hastings.....               | Solano.....      |
| 533              | July 23, ...         | .....               | S. C. Hastings.....               | Solano.....      |
| 534              | July 23, ...         | .....               | S. C. Hastings.....               | Solano.....      |
| 535              | April 9, ...         | .....               | Wm. H. Nash.....                  | Napa.....        |
| a536             | May 27, ...          | George S. Kinney..  | Jonathan Clark.....               | Klamath.....     |
| 537              | May 27, ...          | .....               | Jonathan Clark.....               | Klamath.....     |
| *537             | Mar. 16, '57         | .....               | Jonathan Clark.....               | Klamath.....     |
| †538             | July 12, '56         | .....               | .....                             | .....            |
| †539             | July 12, ...         | .....               | .....                             | .....            |
| 540              | Dec. 5, '53          | .....               | S. C. Hastings.....               | Solano.....      |
| 541              | April 20, ...        | H. Merideth.....    | Nelson Slater.....                | Sacramento ..... |
| 542              | April 20, ...        | H. Merideth.....    | Nelson Slater.....                | Sacramento.....  |
| 543              | May 3, ....          | H. H. Bancroft..... | Rogers, Welsh, and<br>others..... | San Francisco..  |
| 544              | Nov. 30, '54         | H. H. Bancroft..... | " "                               | San Francisco..  |
| 544              | Mar. 31, '53         | .....               | Edward Bosqui.....                | Alameda.....     |
| 545              | May 20, ...          | .....               | Lyman J. Dutton...                | Yolo .....       |
| †545             | Dec. 6, '58          | .....               | Edsil E. Gordon.....              | Yolo .....       |
| 546              | May 20, '53          | .....               | Lyman J. Dutton...                | Yolo .....       |
| †546             | Dec. 6, '58          | .....               | Edsil E. Gordon.....              | Yolo .....       |
| 547              | July 6, '53          | .....               | Patrick Lambert...                | Marin .....      |
| *547             | Dec. 22, '54         | .....               | Joseph A. Tivey....               | Fresno .....     |
| 548              | July 6, '53          | .....               | P. Lambert.....                   | Marin .....      |
| *548             | Dec. 11, '55         | .....               | Martin Murphy.....                | .....            |
| d550             | July 25, '53         | G. W. Cook.....     | Hays and Caperton                 | San Francisco..  |
| 550              | Mar. 8, '57          | .....               | Joseph P. Vaughn..                | Nevada. ....     |
| 553              | Aug. 21, '57         | Robert Allen.....   | S. E. Allen.....                  | Santa Clara....  |
| 554              | Aug. 21, ...         | Robert Allen.....   | S. E. Allen.....                  | Santa Clara....  |
| 555              | Nov. 14, '53         | Robert Allen.....   | Robert Walkinshaw                 | Santa Clara....  |
| 556              | Nov. 14, '53         | Robert Allen.....   | Robert Walkinshaw                 | Santa Clara....  |
| 557              | Oct. 28, '53         | E. Covington.....   | J. R. Bird.....                   | Marin .....      |

\* Final location in Register's Office at San Francisco.

† Final location in the U. S. Register's Office at Marysville.

a Located in Register's Office at Marysville, April 16, 1856.

d Informal.

| No. of<br>warr't | Date of<br>Location. | To whom Issued.      | For whom Located.                 | County.           |
|------------------|----------------------|----------------------|-----------------------------------|-------------------|
| †558             | May 19, '56          | .....                | .....                             | .....             |
| 559              | June 18, '54         | Samuel D. Leavitt... | R. F. Stockton.....               | Santa Clara.....  |
| 560              | Dec. 31, '53         | Samuel D. Leavitt..  | Grant, Gallagher, &<br>Green..... | San Francisco...  |
| *560             | Oct. 31, '57         | .....                | Wm. Wallace Allen.                | Solano.....       |
| 561              | Jan. 18, '54         | .....                | R. F. Stockton.....               | Santa Clara.....  |
| 562              | Oct. 22, '53         | George Fisher.....   | Zachariah Jones.....              | Santa Clara.....  |
| 563              | June 25, ...         | George Fisher.....   | Peck and Heslep...                | Marin .....       |
| *563             | Mar. 31, '56         | .....                | Madison J. Drais...               | San Joaquin....   |
| 564              | May 23, '53          | .....                | George Fisher.....                | Marin .....       |
| †564             | Aug. 12, '57         | .....                | R. Nickel.....                    | Del Norte.....    |
| 565              | June 25, ...         | .....                | Peck and Heslep...                | Marin .....       |
| *565             | Mar. 31, '56         | .....                | Madison J. Drais...               | San Joaquin....   |
| 566              | June 3, ...          | .....                | George Merritt.....               | Contra Costa....  |
| 567              | June 3, '53          | .....                | George Merritt.....               | Contra Costa...   |
| 567              | Sept. 7, '54         | .....                | Lewis P. Dell.....                | Solano.....       |
| 568              | Sept. 13, ...        | James Ritchey.....   | Thomas H. McGrew                  | Klamath.....      |
| u568             | Jan. 4, '56          | .....                | Thomas H. McGrew                  | Klamath.....      |
| u569             | Jan. 4, ...          | .....                | James H. Ritchey...               | Klamath.....      |
| u570             | Jan. 4, ...          | .....                | James H. Ritchey...               | Klamath.....      |
| 571              | Dec. 20, '53         | J. E. Wainwright...  | E. and P. Breen.....              | Monterey .....    |
| 572              | Feb. 26, '58         | .....                | Amos Buckman....                  | Napa.....         |
| 573              | Ap'l 16, '53         | .....                | Tisdale and Nurse..               | Solano.....       |
| *573             | July 18, '54         | .....                | D. A. Nurse.....                  | Solano.....       |
| 574              | Ap'l 16, '53         | .....                | Tisdale and Nurse..               | Solano.....       |
| *574             | July 18, '54         | .....                | D. A. Nurse.....                  | Solano.....       |
| 575              | May 19, '53          | W. W. O'Dwyer....    | Edward Vischer....                | Santa Clara.....  |
| 576              | May 19, ...          | W. W. O'Dwyer....    | Edward Vischer....                | Santa Clara ..... |
| 577              | July 19, ...         | C. Reist.....        | Christian Reist.....              | San Joaquin....   |
| g577             | April 1, '56         | C. Reist.....        | Christian Reist.....              | San Joaquin....   |
| 578              | July 19, '53         | C. Reist.....        | Christian Reist.....              | San Joaquin....   |
| g578             | April 1, '56         | C. Reist.....        | Christian Reist.....              | San Joaquin....   |
| †579             | May 16, '53          | .....                | C. E. Wetmore.....                | Solano.....       |
| 580              | May 16, ...          | .....                | C. E. Wetmore.....                | Solano .....      |
| 581              | Oct. 7, ...          | Wm. S. Letcher.....  | Jas. Houston.....                 | Santa Clara....   |
| 582              | Oct. 7, ...          | Wm. S. Letcher.....  | Jas. Houston.....                 | Santa Clara....   |
| 583              | Sept. 30, ...        | .....                | J. H. Baird.....                  | Mariposa .....    |
| *583             | Nov. 9, '55          | .....                | J. W. Fitzhugh.....               | Merced .....      |
| 584              | Sept. 30, '53        | .....                | J. H. Baird.....                  | Mariposa .....    |
| *584             | Nov. 9, '55          | .....                | M. W. Graham.....                 | Merced .....      |
| 585              | Sept. 30, '53        | .....                | J. H. Baird.....                  | Mariposa .....    |
| *585             | Nov. 9, '55          | .....                | W. J. Barfield.....               | Merced .....      |
| 586              | Sept. 30, '53        | .....                | J. H. Baird.....                  | Mariposa .....    |
| *586             | Sept. 25, '55        | .....                | M. W. Graham.....                 | Merced .....      |
| *587             | July 20, '53         | M. Walthall, Jr....  | M. Walthall.....                  | San Joaquin....   |
| *587             | Dec. 18, '56         | .....                | H. P. Rhodes.....                 | San Joaquin....   |

\* Located in Register's Office, San Francisco.

† Located in Register's Office at Marysville.

u Located in Register's Office at Marysville—relocated to conform to U. S. survey.

g Located in Register's Office, San Francisco—floated.



| No. of<br>warr't | Date of<br>Location. | To whom Issued.      | For whom Located.     | County.          |
|------------------|----------------------|----------------------|-----------------------|------------------|
| *588             | July 20, '53         | Elizabeth Walthall.  | E. Walthall.....      | San Joaquin..... |
| *588             | Feb. 8, '56          | .....                | .....                 | San Joaquin..... |
| 589              | July 20, '53         | .....                | M. Walthall .....     | San Joaquin..... |
| *590             | June 6, '53          | .....                | Geo. W. Coffee.....   | Solano.....      |
| *591             | June 6, ...          | .....                | Geo. W. Coffee.....   | Solano.....      |
| *592             | Mar. 19, '56         | .....                | Thos. Baker .....     | Tulare.....      |
| 593              | Sept. 29, '54        | Nat. Thompson.....   | J. W. Dougherty....   | Alameda.....     |
| a594             | June 9, '53          | J. Walkup.....       | J. Walkup .....       | Placer.....      |
| 595              | July 20, '53         | .....                | Jas. Burney.....      | Tuolumne.....    |
| d595             | Mar. 20, '56         | .....                | Thos. Baker .....     | Tulare.....      |
| u596             | July 27, '53         | G. F. Lemon.....     | Hays & Caperton ..    | San Francisco..  |
| 597              | July 6, ...          | G. F. Lemon.....     | Timothy Mahone ..     | Marin.....       |
| 598              | July 6, ...          | G. F. Lemon.....     | Timothy Mahone ..     | Marin.....       |
| 600              | Oct. 8, '56          | Law Sturtevant.....  | Geo. H. Bodfish ....  | Santa Clara..... |
| 602              | July 12, '53         | Law Sturtevant.....  | O. K. Levings.....    | Sacramento.....  |
| 602              | Sept. 23, '54        | Law Sturtevant.....  | Gould & Macclay ....  | Santa Clara..... |
| 603              | Oct. 8, '56          | .....                | Geo. H. Bodfish ....  | Santa Clara..... |
| 604              | Aug. 11, '53         | .....                | H. P. Bemis.....      | Solano.....      |
| g604             | Feb. 11, '56         | .....                | J. B. Laing .....     | Colusa.....      |
| *605             | Aug. 20, '53         | .....                | Chas. G. Collins .... | Solano.....      |
| 606              | Nov. 17, '58         | H. Van Valkenberg    | Chas. M. Weber ....   | Santa Clara..... |
| 607              | Aug. 11, '53         | .....                | H. P. Bemis .....     | Solano.....      |
| †607             | Feb. 11, '56         | .....                | J. B. Laing .....     | Colusa.....      |
| 608              | July 12, '53         | J. L. Poulk.....     | Abner Wade.....       | Sacramento.....  |
| †608             | Sept. 16, '58        | .....                | Alex. Stevenson ....  | Sacramento.....  |
| *610             | Feb. 18, '54         | .....                | S. C. Field .....     | Solano.....      |
| 611              | Sept. 28, '53        | J. L. Poulk.....     | O. M. Evans.....      | Butte.....       |
| 612              | Sept. 15, ...        | J. T. Ewing.....     | Stephen Franklin...   | Santa Clara..... |
| 614              | Sept. 15, ...        | J. T. Ewing.....     | Stephen Franklin...   | Santa Clara..... |
| 615              | Sept. 15, ...        | J. T. Ewing.....     | Stephen Franklin...   | Santa Clara..... |
| 619              | Sept. 29, '54        | E. M. Bourn .....    | J. W. Dougherty....   | Alameda.....     |
| *620             | June 22, '58         | A. J. F. Phelan..... | R. C. Sargent.....    | Santa Clara..... |
| *621             | June 22, ...         | A. J. F. Phelan..... | R. S. Carlisle.....   | Santa Clara..... |
| h624             | Nov. 12, '53         | .....                | Felix Argenti .....   | San Francisco..  |
| 625              | Sept. 8, '56         | Charles Lambard...   | James & Dubendiss     | Santa Cruz.....  |
| *627             | Feb. 21, '56         | .....                | V. M. Peyton.....     | San Joaquin..... |
| 628              | Dec. 20, '53         | A. Milton.....       | James Williams.....   | Santa Cruz.....  |
| 629              | Dec. 20, ...         | A. Milton.....       | Gluyas & Coult.....   | Santa Cruz.....  |
| 630              | Dec. 20, ...         | John Wilson.....     | Gluyas & Coult.....   | Santa Cruz.....  |
| 631              | Dec. 20, ...         | John Wilson.....     | Gluyas & Coult ...    | Santa Cruz.....  |
| 632              | Dec. 20, ...         | John Wilson.....     | Gluyas & Coult.....   | Santa Cruz.....  |
| 633              | Dec. 20, ...         | John Wilson.....     | Gluyas & Coult.....   | Santa Cruz.....  |
| *634             | Aug. 12, '53         | .....                | Felix Argenti .....   | San Francisco..  |
| *635             | Aug. 12, ...         | .....                | Felix Argenti .....   | San Francisco..  |
| 636              | Oct. 13, '53         | T. C. Banks.....     | Wm. W. White.....     | Santa Clara..... |

\* Final location in Register's Office at San Francisco

† Final location in Register's Office at Marysville.

‡ Final location in Register's Office at Stockton.

a Final location in Register's Office at Marysville, May 10, 1856.

d Final location in Register's Office at San Francisco—floated.

u Final location in Register's Office at Marysville—informal—floated.....h Informal.

g Final location in Register's Office at Marysville—floated—first location on Spanish grant.

| No. of<br>warr't | Date of<br>Location. | To whom Issued.      | For whom Located.                | County.          |
|------------------|----------------------|----------------------|----------------------------------|------------------|
| *636             | July 10, '54         | .....                | Felix Argenti .....              | Solano.....      |
| 637              | Dec. 20, '53         | .....                | Guyas & Coult.....               | Santa Cruz.....  |
| *638             | Aug. 12, ...         | .....                | Felix Argenti.....               | San Francisco..  |
| *639             | Aug. 12, ...         | .....                | Felix Argenti.....               | San Francisco..  |
| a640             | Aug. 12, ...         | .....                | Felix Argenti.....               | San Francisco..  |
| *641             | Aug. 12, ...         | .....                | Felix Argenti.....               | San Francisco..  |
| a642             | Aug. 12, ...         | .....                | Felix Argenti.....               | San Francisco..  |
| *643             | Aug. 12, ...         | .....                | Felix Argenti.....               | San Francisco..  |
| *644             | Aug. 12, ...         | .....                | Felix Argenti.....               | San Francisco..  |
| *645             | Aug. 12, ...         | .....                | Felix Argenti.....               | San Francisco..  |
| 646              | .....                | F. H. Wood.....      | .....                            | Siskiyou.....    |
| d648             | July 1, '54          | .....                | James Pratt.....                 | San Francisco..  |
| *649             | Aug. 20, '54         | .....                | Charles G. Collins..             | Solano.....      |
| 650              | Aug. 19, '53         | Chas. H. Heath.....  | W. C. Jones.....                 | San Francisco..  |
| 651              | Aug. 19, ...         | Chas. H. Heath.....  | W. C. Jones.....                 | San Francisco..  |
| 653              | Aug. 24, ...         | .....                | W. C. Moon.....                  | Colusa.....      |
| *654             | July 1, '54          | .....                | Felix Argenti.....               | San Francisco..  |
| 655              | Jan. 10, ...         | Felix Argenti.....   | Felix Argenti.....               | San Francisco..  |
| *657             | July 10, ...         | .....                | Felix Argenti.....               | Solano.....      |
| u658             | .....                | D. S. Roberts.....   | .....                            | Siskiyou.....    |
| g659             | Aug. 16, '53         | .....                | Green & Couch .....              | San Francisco..  |
| *659             | Jan. 29, '56         | .....                | G. Van Valkenburg                | San Joaquin..... |
| 660              | Aug. 16, '53         | .....                | Green & Couch .....              | San Francisco..  |
| *660             | Jan. 29, '56         | .....                | G. Van Valkenburg                | San Joaquin..... |
| u661             | .....                | D. S. Roberts.....   | .....                            | Siskiyou.....    |
| 662              | Dec. 20, '53         | R. E. Woods.....     | Patrick Breen.....               | Monterey .....   |
| h666             | Sept. 27, '53        | .....                | Jas. F. Hibbard.....             | Alameda.....     |
| 666              | Dec. 29, '54         | T. C. McMickle.....  | Ignacio Del Valle...             | Los Angeles....  |
| †667             | May 1, '56           | .....                | .....                            | .....            |
| 670              | Oct. 28, '53         | T. D. Rahle .....    | D. R. Bird .....                 | Marin.....       |
| 671              | Sept. 27, '53        | .....                | James F. Hibbard...              | Alameda.....     |
| *671             | Dec. 22, '54         | .....                | Joseph A. Tivey.....             | Tulare.....      |
| 672              | Dec. 31, '53         | James C. Leighton..  | Hiram Pearson.....               | San Francisco..  |
| 673              | Dec. 31, ...         | James C. Leighton..  | Grant, Gallagher &<br>Green..... | San Francisco..  |
| 674              | July 30, '57         | .....                | Thomas Roche .....               | Sonoma .....     |
| 675              | Sept. 8, '56         | Wm. S. Swazey.....   | Hames & Dubendiss                | Santa Cruz.....  |
| 676              | July 30, '57         | .....                | Thomas Roche .....               | Sonoma .....     |
| †677             | Nov. 10, '56         | .....                | Ward Bradford.....               | Klamath.....     |
| †678             | May 19, '56          | .....                | .....                            | .....            |
| 679              | Sept. 9, '53         | B. S. Lippincott ... | Wendell & Gordon ..              | Klamath .....    |
| †679             | Jan. 4, '56          | .....                | Thos. H. McGrew...               | Klamath .....    |
| 680              | Mar. 15, '54         | Jno. J. Biever.....  | H. Pearson ... ..                | San Francisco..  |

\* Final location in Register's Office at San Francisco.

† Final location in Register's Office at Marysville,

a Final location in Register's Office at San Francisco;—floated on account of pre-emption claim.

d Final location in Register's Office at San Francisco; also located in Marysville, May 11, 1858.

u Returns received July 12, 1854.

g Informal.

h Location does not conform to U. S. Survey.

| No. of<br>warr't | Date of<br>Location. | To whom Issued.      | For whom Located.           | County.          |
|------------------|----------------------|----------------------|-----------------------------|------------------|
| 681              | Dec. 31, '53         | Jno. J. Biever ..... | Grant, Gallagher,<br>[Green | San Francisco..  |
| *681             | Oct. 31, '57         | .....                | Wm. Wallace Allen           | Solano.....      |
| *682             | Aug. 26, '54         | .....                | S. C. Hastings .....        | Solano.....      |
| *683             | Aug. 26, ...         | .....                | S. C. Hastings .....        | Solano.....      |
| *684             | Aug. 26, ...         | .....                | S. C. Hastings .....        | Solano.....      |
| *685             | Aug. 26, ...         | .....                | S. C. Hastings .....        | Solano.....      |
| *686             | Aug. 26, ...         | .....                | S. C. Hastings .....        | Solano.....      |
| *687             | Aug. 26, ...         | .....                | S. C. Hastings .....        | Solano.....      |
| *688             | Aug. 26, ...         | .....                | S. C. Hastings .....        | Solano.....      |
| *689             | Aug. 26, ...         | .....                | S. C. Hastings .....        | Solano.....      |
| *690             | Aug. 26, ...         | .....                | S. C. Hastings .....        | Solano.....      |
| *691             | Aug. 26, ...         | .....                | S. C. Hastings .....        | Solano.....      |
| *692             | Aug. 26, ...         | .....                | S. C. Hastings .....        | Solano.....      |
| *693             | Aug. 26, ...         | .....                | S. C. Hastings .....        | Solano.....      |
| *694             | Aug. 26, ...         | .....                | S. C. Hastings .....        | Solano.....      |
| *695             | Aug. 26, ...         | .....                | S. C. Hastings .....        | Solano.....      |
| *696             | Aug. 26, ...         | .....                | S. C. Hastings .....        | Solano.....      |
| *697             | Oct. 4, '53          | Sam. L. Dennison ..  | Chas. J. Collins.....       | Santa Clara .... |
| 699              | Oct. 4, ...          | E. McGowan .....     | Chas. J. Collins.....       | Santa Clara .... |
| *699             | Sept. 28, '54        | E. McGowan .....     | Chas. J. Collins.....       | Solano.....      |
| 702              | May 25, ...          | Jas. Miller .....    | Nelson Taylor.....          | San Joaquin....  |
| *702             | Dec. 18, '55         | .....                | Jenkins & Wheat ..          | Merced.....      |
| 703              | May 25, '54          | Jas. Miller .....    | Nelson Taylor.....          | San Joaquin....  |
| *703             | Dec. 18, '55         | .....                | Jenkins & Wheat ..          | Merced .....     |
| *707             | July 14, ...         | John Richmond.....   | R. P. Ashe .....            | San Joaquin....  |
| *708             | July 14, ...         | John Richmond.....   | R. P. Ashe ..               | San Joaquin....  |
| †709             | Dec. 17, ...         | .....                | .....                       | .....            |
| †710             | Dec. 17, ...         | .....                | .....                       | .....            |
| †711             | Dec. 17, ...         | .....                | .....                       | .....            |
| †712             | Mar. 18, '56         | .....                | .....                       | .....            |
| 714              | Jan. 22, ...         | J. T. Peabody.....   | J. P. Sargent.....          | San Joaquin....  |
| 714              | Dec. 19, '57         | J. T. Peabody.....   | J. P. Sargent.....          | Santa Clara .... |
| 716              | Jan. 22, '56         | J. T. Peabody.....   | J. L. Sargent.....          | San Joaquin....  |
| *716             | Mar. 9, '58          | J. T. Peabody.....   | Simcon H. Anthony           | San Joaquin....  |
| 721              | Oct. 6, '53          | J. McMullin .....    | John McMullin ....          | San Joaquin....  |
| *721             | Jan. 22, '56         | J. McMullin .....    | John McMullin .....         | San Joaquin....  |
| 722              | Nov. 12, '53         | A. E. Field .....    | Geo. W. Aspinwall..         | Santa Clara .... |
| 723              | Nov. 12, ...         | A. E. Field .....    | Geo. W. Aspinwall..         | Santa Clara .... |
| 724              | Nov. 12, ...         | A. E. Field .....    | Geo. W. Aspinwall..         | Santa Clara .... |
| 725              | Nov. 12, ...         | A. E. Field.....     | Geo. W. Aspinwall..         | Santa Clara .... |
| 726              | Dec. 18, '55         | .....                | W. H. Watson.....           | Yolo.....        |
| 727              | June 22, '57         | Ed. P. Folger .....  | Daniel Gibb.....            | Fresno.....      |
| 728              | June 22, ...         | Ed. P. Folger .....  | Daniel Gibb.....            | Fresno.....      |
| 729              | June 23, ...         | Ed. P. Folger .....  | Henry F. Pitts .....        | Fresno .....     |
| 730              | June 23, ...         | Ed. P. Folger .....  | Henry F. Pitts .....        | Fresno .....     |
| 731              | Dec. 18, '55         | Ed. P. Folger .....  | Robert C. Clark.....        | Yolo .....       |

\* Located in Register's Office, San Francisco.

† Located in Register's Office, Marysville.

| No. of<br>warr't | Date of<br>Location. | To whom Issued.     | For whom Located.     | County.           |
|------------------|----------------------|---------------------|-----------------------|-------------------|
| 732              | June 22, '57         | Geo. W. Cook .....  | Daniel Gibb .....     | Fresno .....      |
| *734             | Nov. 23, '55         | .....               | W. H. Cook .....      | Stanislaus.....   |
| 735              | Dec. 18, '55         | .....               | Robt. C. Clark.....   | Yolo .....        |
| 736              | Dec. 18, ...         | .....               | Wm. H. Watson ...     | Yolo .....        |
| 737              | Dec. 18, ...         | .....               | Robt. C. Clark .....  | Yolo .....        |
| 738              | June 22, '57         | Nieves Orteiz.....  | Daniel Gibb .....     | Fresno .....      |
| 739              | Jan. 18, '54         | Nieves Orteiz ..... | R. F. Stockton .....  | Santa Clara ..... |
| 740              | Jan. 18, ...         | Nieves Orteiz ..... | R. F. Stockton .....  | Santa Clara ..... |
| 741              | Mar. 7, '57          | Nieves Orteiz ..... | Hugh P. Gallagher..   | Santa Clara ..... |
| *742             | Dec. 28, '53         | .....               | John R. McConnell     | Solano .....      |
| a746             | Sept. 11, '54        | Wm. D. Bagley ..... | Wm. O'Connell.....    | Alameda.....      |
| d747             | Dec. 24, '56         | Wm. D. Bagley ..... | Elmas Nicholas.....   | Shasta .....      |
| *748             | Oct. 27, '55         | .....               | Elisha C. Archer ...  | Solano .....      |
| *749             | Dec. 28, '55         | .....               | John R. McConnell..   | Solano .....      |
| 750              | Dec. 18, '55         | .....               | W. H. Watson.....     | Yolo .....        |
| 751              | Dec. 18, ...         | .....               | W. H. Watson.....     | Yolo .....        |
| 753              | Dec. 18, ...         | .....               | Joseph W. Winans..    | Yolo .....        |
| *754             | Nov. 23, ...         | .....               | Wm. H. Martin .....   | Stanislaus.....   |
| 755              | Dec. 18, ...         | .....               | Joseph W. Winans..    | Yolo .....        |
| 756              | Dec. 18, ...         | .....               | Joseph W. Winans..    | Yolo .....        |
| 757              | Dec. 18, ...         | .....               | Joseph W. Winans..    | Yolo .....        |
| 758              | Dec. 18, ...         | .....               | Robert C. Clark ..... | Yolo .....        |
| †760             | Aug. 13, '58         | .....               | Geo. Crossman.....    | San Joaquin....   |
| †761             | Aug. 13, ...         | .....               | Geo. Crossman.....    | San Joaquin....   |
| u762             | Oct. 13, '53         | R. C. Sargent ..... | R. C. Sargent .....   | San Joaquin....   |
| 762              | Feb. 11, '58         | R. C. Sargent ..... | Rudolf Meyer .....    | San Joaquin....   |
| u763             | Oct. 13, '53         | R. C. Sargent ..... | R. C. Sargent .....   | San Joaquin....   |
| 763              | Feb. 11, '58         | R. C. Sargent ..... | Jas. U. Castle.....   | San Joaquin....   |
| u764             | Oct. 13, '53         | R. C. Sargent ..... | R. C. Sargent.....    | San Joaquin....   |
| 764              | Feb. 11, '58         | R. C. Sargent ..... | Jas. U. Castle .....  | San Joaquin....   |
| *767             | Oct. 30, '55         | .....               | Geo. W. Haynes.....   | Solano .....      |
| *768             | Oct. 20, '55         | .....               | A. B. Meacham.....    | Solano .....      |
| *769             | Oct. 20, '57         | .....               | W. D. Fullerton.....  | San Joaquin....   |
| *770             | Oct. 30, '55         | .....               | Geo. W. Haynes.....   | Solano .....      |
| *772             | Oct. 23, ...         | .....               | Aurelia Williams....  | Solano .....      |
| *773             | Oct. 27, ...         | .....               | Elisha C. Archer....  | Solano .....      |
| *775             | Oct. 30, ...         | .....               | Geo. W. Haynes.....   | Solano .....      |
| a776             | Sept. 11, '54        | Chas. Wood.....     | Wm. O'Connell.....    | Alameda.....      |
| g776             | Jan. 22, '56         | Chas. Wood.....     | R. C. Sargent.....    | San Joaquin....   |
| 776              | Feb. 11, '58         | Chas. Wood.....     | Rudolf Meyer.....     | San Joaquin....   |
| †777             | Mar. 10, '56         | .....               | .....                 | .....             |
| *778             | Feb. 20, '57         | .....               | Wm. D. Fullerton...   | San Joaquin....   |
| †779             | Mar. 10, '56         | .....               | .....                 | .....             |
| 780              | Feb. 4, '57          | .....               | Jos. G. Baldwin.....  | Napa .....        |

\* Final location in Register's Office at San Francisco.

† Final location in Register's Office, Marysville.

‡ Final location in the Register's Office, Stockton.

± Does not conform to U. S. Survey.

d Final location in Register's Office at Marysville, December 22, 1856.

u Floated December 29, 1857, the land being Pico's.

g Floated Dec. 29, 1856, from Pico's claim.



| No. of<br>warr't | Date of<br>Location. | To whom Issued.      | For whom Located.    | County.          |
|------------------|----------------------|----------------------|----------------------|------------------|
| *782             | Jan. 9, '57          | .....                | Henry Howland.....   | San Joaquin..... |
| *783             | Dec. 18, '56         | .....                | Henry B. Rhodes...   | San Joaquin..... |
| *785             | Feb. 22, '57         | .....                | Wm. Nelson.....      | Merced .....     |
| *786             | Oct. 20, '55         | .....                | A. B. Meacham.....   | Solano.....      |
| *787             | Oct. 23, ...         | .....                | Aurelia Williams...  | Solano.....      |
| *788             | Oct. 30, ...         | .....                | Geo. W. Haynes.....  | Solano.....      |
| 789              | Oct. 4, '56          | Wm. R. Gorham....    | Jos. E. N. Lewis.... | Butte .....      |
| 790              | Mar. 31, '57         | Wm. R. Gorham....    | Alfred G. Carter.... | Tehama.....      |
| 791              | Mar. 7, ...          | Wm. R. Gorham....    | Hugh P. Gallagher..  | Santa Clara..... |
| 792              | Mar. 9, ...          | Wm. R. Gorham....    | P. A. McRae.....     | Butte.....       |
| 796              | Aug. 21, '57         | .....                | John G. Nichols..... | Los Angeles...   |
| 797              | Nov. 11, '53         | R. P. Ashe.....      | R. P. Ashe .....     | San Joaquin..... |
| *797             | Feb. 8, '56          | R. P. Ashe.....      | R. P. Ashe .....     | San Joaquin...   |
| 798              | Nov. 11, '53         | R. P. Ashe.....      | R. P. Ashe .....     | San Joaquin..... |
| *798             | Feb. 8, '56          | R. P. Ashe .....     | R. P. Ashe .....     | San Joaquin..... |
| 799              | Sept. 1, '53         | J. P. Treadway.....  | Jas. P. Treadway...  | San Joaquin....  |
| 800              | Sept. 1, ...         | J. P. Treadway.....  | Jas. P. Treadway...  | San Joaquin..... |
| 801              | Sept. 1, ...         | J. P. Treadway.....  | Jas. P. Treadway...  | San Joaquin..... |
| 802              | Sept. 1, ...         | J. P. Treadway.....  | Jas. P. Treadway...  | San Joaquin..... |
| 803              | Dec. 17, '53         | Jno. Middleton.....  | Jno. Middleton.....  | San Francisco..  |
| *803             | Oct. 26, '56         | .....                | F. H. Woods.....     | Solano.....      |
| 804              | Dec. 17, '53         | Jno. Middleton.....  | Jno. Middleton.....  | San Francisco... |
| *804             | Oct. 26, '56         | .....                | F. H. Woods.....     | Solano.....      |
| 805              | Dec. 17, '53         | Jno. Middleton. .... | Jno. Middleton.....  | San Francisco..  |
| *805             | Oct. 26, '56         | .....                | F. H. Woods.....     | Solano.....      |
| 806              | Dec. 17, '53         | Jno. Middleton.....  | Jno. Middleton.....  | San Francisco... |
| *806             | Oct. 26, '56         | .....                | F. H. Woods.....     | Solano.....      |
| *809             | Mar. 22, ...         | .....                | R. P. Ashe.....      | San Joaquin..... |
| *810             | Mar. 22, ...         | .....                | R. P. Ashe.....      | San Joaquin..... |
| *811             | Apr. 5 '56           | .....                | Henry Cain.....      | San Joaquin..... |
| *812             | Apr. 5, ...          | .....                | Ichabod D. Hamilton  | San Joaquin..... |
| *813             | Apr. 5, ...          | .....                | I. D. Hamilton.....  | San Joaquin ...  |
| †815             | Apr. 28, ...         | .....                | .....                | .....            |
| 816              | Feb. 4, '57          | .....                | Jos. G. Baldwin..... | Napa.....        |
| *817             | Jan. 16, '58         | .....                | Moses Swan.....      | San Joaquin..... |
| *818             | Jan. 16, ...         | .....                | Moses Swan.....      | San Joaquin ...  |
| a819             | Mar. 25, '57         | .....                | A. C. Peachy.....    | Napa.....        |
| d819             | May 18, ...          | .....                | A. C. Peachy.....    | Napa.....        |
| 820              | Feb. 4, ...          | .....                | Jos. G. Baldwin..... | Napa.....        |
| 821              | May 18, ...          | .....                | A. C. Peachy.....    | Napa.....        |
| 822              | Mar. 7, ....         | E. Hunt.....         | H. P. Gallagher..... | Santa Clara..... |
| 823              | Mar. 7, ....         | E. Hunt.....         | H. P. Gallagher..... | Santa Clara..... |
| †824             | Feb. 25, ...         | .....                | .....                | .....            |
| †825             | Feb. 25, '57         | .....                | .....                | .....            |
| 826              | June 23, ....        | W. Neely Thompson    | Wm. N. Thompson..    | Fresno .....     |
| 827              | June 22, ....        | W. Neely Thompson    | Wm. N. Thompson..    | Fresno .....     |

\* Final location in the U. S. Register's Office at San Francisco.

† Final location in Register's office at Marysville.

a Abandoned by error in location of Warrant No. 115.

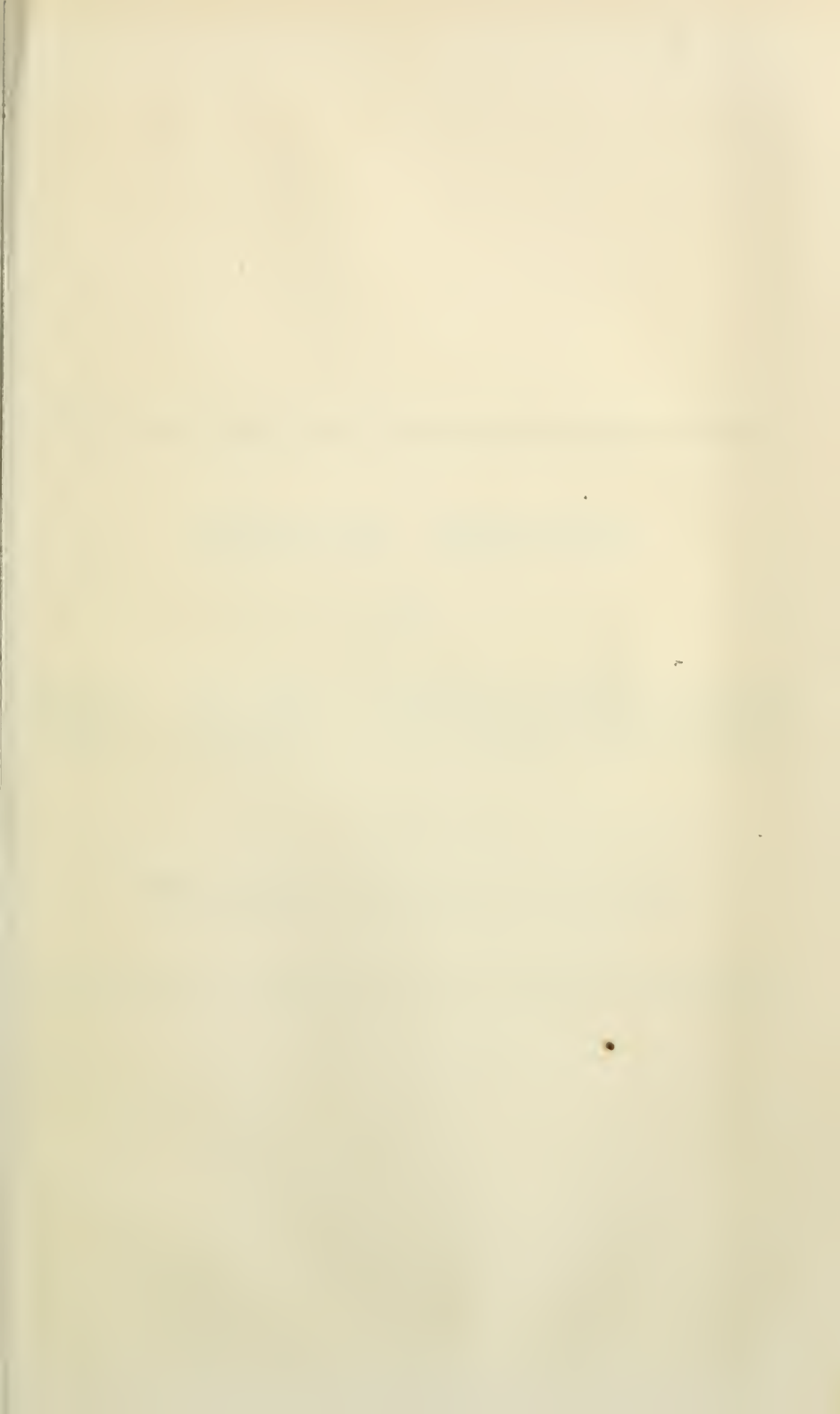
d Same land located.

| No. of<br>arr't | Date of<br>Location. | To whom Issued.    | For whom Located.   | County.          |
|-----------------|----------------------|--------------------|---------------------|------------------|
| 828             | Dec. 30, '57         | D. J. Burnett..... | D. J. Burnett.....  | Santa Clara..... |
| 829             | Dec. 30, ...         | D. J. Burnett..... | D. J. Burnett.....  | Santa Clara..... |
| 830             | Oct. 19, ...         | J. G. Kenyon....   | J. G. Kenyon.....   | Humboldt.....    |
| 831             | Oct. 19, ....        | J. G. Kenyon.....  | J. G. Kenyon.....   | Humboldt.....    |
| 834             | Oct 1, '58           | .....              | Philander Arnold..  | Solano.....      |
| 835             | Sept. 8, ...         | .....              | Wm. F. Shepard..... | Solano.....      |
| 836             | Sept. 8, ...         | .....              | Wm. F. Shepard....  | Solano.....      |
| 837             | June 1, '58          | .....              | D. J. Burnett.....  | Santa Clara..... |
| 838             | June 1, '58          | .....              | D. J. Burnett ..... | Santa Clara..... |

‡ Final location in Register's Office at Stockton.









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ANNUAL REPORT

OF

THE STATE SUPERINTENDENT

OF

PUBLIC INSTRUCTION.

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JOHN O'MEARA, STATE PRINTER.



## ANNUAL REPORT.

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*To the Senate and Assembly of the State of California :*

The Superintendent of Public Instruction has the honor to submit the Eighth Annual Report from the Department of Instruction, as required by the Act of May 3, 1855.

Although our Schools have steadily improved in number, in time of service, and in efficiency, during the past seven years, nothing save a confidence in the intelligence of your honorable body, and in your disposition to aid the cause of Education, can prevent a feeling of discouragement, almost of despair, at their present condition. The gulf between what they are and what they might be, and ought to be, is immense. Our only consolation is, that it is not impassable.

The more the State Superintendent has studied their condition, the more minute his inquiries, and the more complete his information, the more he is satisfied they are, in the mass, far behind the age. It would be very easy—perhaps more politic—for him to play the optimist, and display only the bright and encouraging features of the picture. He might show that the number of Public Schools has increased from twenty, in 1853, to four hundred and thirty-two, in 1858—the number of Teachers employed, from twenty-five, in 1853, to five hundred and seventeen, in 1858—the number of children attending School, from three thousand three hundred and fourteen, in 1853, to nineteen thousand eight hundred and twenty-two, in 1858—that more than four hundred School-houses have been built within the last five years—that the standard of qualification in Teachers has been raised—that some of our Schools are models of excellence—and that, in many communities, a lively interest is manifested in the cause of Education.

Such statement, although strictly true, would give but a very imperfect idea of the position our State has attained in Educational matters.

It would be calculated, moreover, to generate a feeling of complacency in our Legislators—of satisfaction in the minds of our people, that we have done so much in so short a time, and perhaps induce the belief that no very energetic measures are necessary to perfect our School system.

However unpleasant, it is the duty of the State Superintendent to dash this complacency—to dispel this feeling of content—by displaying, in a

clear light, our numerous deficiencies, our pressing wants, our sad imperfections, our lamentable halt behind similar institutions in other countries.

It is only by this means we can concert the measures required by the circumstances of our condition, and apply the remedy where the evil exists.

The Superintendent has often heard the remark, that "such a condition of things, or such an institution, is very good for California." The remark has been not unfrequently applied to our Public Schools. For one, he indignantly repudiates it.

What is very good for California, ought to be not a whit less than what is very good for the most favored land. If experienced and accomplished Teachers, bred to their profession by a regular course of study in State Institutes, have the charge of Schools in other States, it is not enough for California that a large class of ignorant pretenders, ruined spendthrifts, and aimless adventurers, fasten themselves upon our Schools, until something better turns up. If School-houses elsewhere are handsomely and comfortably built, made cheerful and attractive resorts for the young, clap-board shanties, fitted with rough benches, are not "very good for California."

If Schools are maintained for ten months in the year in other communities, a three or six months' session is not "very good for California."

The State Superintendent's standard, for the Schools under his charge, is that of the best system in the most enlightened State; and with nothing less will he be contented, and for nothing less will he continue to strive.

If the attainment of this standard were an impossibility, we might fold our hands in stupid content. But, with his knowledge of the wants and imperfections of the Schools, he will venture to say that, if he possessed despotic powers, he could, within three years, build up a system that would rival that of Massachusetts, or of Prussia, and command the admiration of the world—and that, too, without imposing oppressive burdens upon the people.

As far as the subject-matter is concerned, you, gentlemen, possess such despotic powers. Will you use them to insure an enlightened posterity, to guard the noble heritage our fathers have transmitted to us?

The Superintendent will not waste words on that hackneyed theme, the importance of Education. All Americans recognize it. All have, at least, an apathetic conviction of it, even as all sinners tacitly acknowledge the value and importance of religion; but, as with these sinners, our convictions are not always followed by good works.

The fact is, if there were a little more opposition, the friends of Education would display a little more energy, and a deal more spirit.

Without undertaking, therefore, to show, as others have forcibly and conclusively shown, how and why a good system of Common School education, sufficiently comprehensive to embrace all our country's youth in its benevolent design, would free us as a people from a host of evils growing out of popular ignorance; would increase the productiveness of labor, as the schools advanced in excellence, indefinitely; would save to society, by diminishing the number of paupers and criminals, a vast amount of means absorbed in the support of the former, and in bringing the latter to justice—a tax which upon every present generation is more than sufficient to educate the next succeeding one; would prevent the great majority of fatal accidents that are now depopulating communities wherever ignorance prevails; would, by imparting a knowledge of the organic

laws, save the lives of a hundred thousand children in the United States every year; would, by promoting longevity, in connection with the advantages already enumerated, tend more than all other means of State policy to increase the wealth and population of the country; would tend to diminish, from generation to generation, not only drunkenness and sensuality in all its protean forms, but idiocy and insanity, which result from a violation of the laws of our being, which are the laws of God; would, in innumerable ways, tend to diminish the sufferings and mitigate the woes incident to human life, while it would acquaint man with the will of the benevolent Creator, and lead him to cherish an habitual desire to yield obedience thereto; will furnish the only possible means of perfecting and perpetuating the inestimable boon of civil and religious liberty to the latest generations, and thus secure to the race the maximum of human happiness;—without dwelling upon these points, I repeat, it is sufficient to say that the united testimony of a host of able men, and long-experienced teachers, establishes the proposition that “if all our schools were under the charge of teachers, possessing the right intellectual and moral qualifications, and if all the children of the community were brought under the influence of these Schools for ten months in the year, the work of training up THE WHOLE COMMUNITY to intelligence and virtue would be accomplished, as completely as any human end can be obtained by human means—and that such an agency would prove competent to the removal of ninety-nine one-hundredths of the evils with which society is now infested, in one generation, and would ultimately redeem the State from social vices and crimes.” This at once suggests the question, so pointedly put by that able and earnest friend of Common Schools, Horace Mann, “What—under the soundest and most vigorous system of education which we can now command—what proportion, or per centage, of all the children who are born, can be made useful and exemplary men, honest dealers, conscientious jurors, true witnesses, incorruptible voters or magistrates, good parents, good neighbors, good members of society? In other words, with our present knowledge of the art and science of Education, and with such new fruit of experience as time may be expected to bear, what proportion, or per centage, of all children, must be pronounced irreclaimable and irredeemable, notwithstanding the most vigorous educational efforts which, in the present state of society, can be put forth in their behalf?

“What proportion, or per centage, must become drunkards, profane swearers, detractors, vagabonds, rioters, cheats, thieves, aggressors upon the rights of property, of person, of reputation, or of life?

“In a word, what proportion must be guilty of such omissions of right and commissions of wrong, that it would have been better for the community had they never been born?”

These are questions, gentlemen of the Legislature, which must come home, with force, to all in authority.

They are no idle abstractions, but involve a social problem that we are called upon to solve.

To put our responsibility in a still more forcible light, if it be conceded—as a host of able men, consulted on the point, affirm—“that with such educational means and resources as we can now command, eighty, ninety, ninety-five, or ninety-nine per cent. of all children can be made temperate, industrious, frugal, conscientious in all their dealings, prompt to pity and instruct ignorance, instead of ridiculing it and taking advantage of it, public-spirited, philanthropic, and observers of all things sacred; if any given proportion of the children of the State can, by human efforts, and



by such a Divine blessing as the common course of God's providence authorizes us to expect, be made to possess those qualities and to act from them; then, just so far as our posterity shall fall below this practicable exemption from vices and crimes, and just so far as they shall fail to possess these attainable virtues, just so far will those who frame and execute our laws, shape public opinion, and lead public action, *be criminally responsible for the difference.*"

Let us apply this principle to our case, and see for how great a difference we are responsible.

A classification and analysis of the reports of full two thousand School officers to this Department, show that there are 40,530 children in the State between four and eighteen years of age—that the whole number attending school during the year 1858 was 19,822, and that the daily average attendance was but 11,183. It follows, that 20,708 children have not been inside of a public school-house, and that 29,347 have, in effect, received no instruction during the year.

If this state of things is "very good for California," and we do not take instant and effective means to remedy it, these 29,347 neglected children will grow up into 29,347 benighted men and women; a number nearly sufficient, at ordinary times, to control the vote of the State, and, in consequence, to shape its legislation and its destiny!

Nor does this tell the whole story. The returns further show, that out of four hundred and thirty-two schools maintained during the year, eleven were kept open for less than three months; ninety-three for three months; one hundred and sixty-six for more than three, and less than six months; one hundred and two for more than six, and less than nine months; and sixty for more than nine months. Making the most liberal allowances, this would show that all the Schools in the State have been in operation for an average term of only five and a half months during the year. To render them fully efficient, they should be kept open for twice that period.

It follows, therefore, that our present School System has furnished instruction to only 11,183 children out of 40,530, and to them for only five and a half months out of the twelve.

It has, in effect, therefore, given that full instruction a perfect system ought to give, to but 5,591 children! Does this show very well for California? It remains for us, then, gentlemen, to suggest the means, and adopt the measures to secure the education of the remaining 34,939 children, and of that other young army, the 23,558 children under four years of age, reported by census, in the State.

Money will do it! To this point, you have doubtless perceived, all that has been said has been tending. It has been to inspire a spirit of liberality in your appropriations for the support of Public Schools in California.

It has been to dispel that strange delusion, that the Legislature is not called upon to make any provision for the Schools, because, forsooth, we have a School Fund.

And such a Fund!

Why, it does not produce annually one-fourth the amount the single County of San Francisco raises for the same purpose.

The whole amount, including the School Fund's per centage of the proceeds of the poll-tax, contributed by the State for the support of Schools, in 1857, was \$58,520 88; in 1858, \$53,404 95.

This would pay each Teacher employed \$133 96 in 1857, and \$123 62 in 1858.

This is all the State contributes to support a School during a whole year.

It is not sufficient to maintain the rudest "Old Field School" for one month!

To produce any appreciable effects, it ought to be, at the very least, quadrupled.

And what is the consequence of this miserable parsimony in the appropriations?

From sheer poverty, the District Trustees are compelled to employ *cheap Teachers*, while hundreds, fitted for their vocation by a special course of study, can be had if there were only means to compensate them.

I need not tell you what a "cheap Teacher" is. His services are, nine times out of ten, dear at any price.

The returns show that out of three hundred and seven Teachers, upon whose capacity I have succeeded in obtaining reports, but one hundred and nine are of the first class, or those who are fully qualified for their position; one hundred and fifteen of the second class, or those who do tolerably well—that is, are barely endurable; and eighty-three of the third class, or those who are employed because none others can be had.

In other words, only about one-third the Teachers in our State are fitted for that grand responsibility—the development and culture of the nascent soul of the child.

Is such an exhibit "very good for California?"

It is our boast, and it is true, that our adult population is the most intelligent in the world.

The enterprising, the far-seeing, and the cultivated, from every land compose our people. They make up an aggregate of intellect that no other country can approach.

It would be a burning shame that their children should fall so far below their fathers' standard, as they must necessarily fall, if there be not a vast improvement in the means of education now furnished.

A wise man has said that "he is no more physically blind, or bereft of his natural senses, who can not see a culprit in the hands of a Sheriff, or a Criminal Court with its officers, or a prison with its armed guards, than he is morally blind who does not see criminal manhood in neglected childhood;" and again, "taking whole communities together, the conclusion is legitimate and inevitable, that every advance in knowledge amongst a people, is, *pro tanto*, an invasion of the domains of crime."

Now, if this be conceded, and all history affirms it, the Legislature may save a vast amount of money, by making a large appropriation for the support of Schools.

Damning as the record is, it is yet lamentably true, that during the last five years, the State of California has paid \$754,193 80 for the support of criminals, and but \$284,183 69 for the education of the young!

In other words, she has paid nearly three times as much for the support of an average of four hundred criminals as for the training and culture of thirty thousand children.

To make the point more forcible, the figures show that she has expended eighteen hundred and eighty-five dollars on every criminal, and nine dollars on every child!

I affirm the proposition, that Education, which cultivates the moral as well as the intellectual nature of the young, is competent to reverse these figures; that, if eighteen hundred and eighty-five dollars is expended

upon the culture of the child, but nine dollars will be needed for the custody of the criminal.

In this connection, I would urge another point: that the State has really contributed but a trifling portion of the \$284,163 69 paid for the support of Schools during the last five years.

She has, it is true, paid the interest on the principal of the School Fund, of which she is the trustee, and of which she has had the use.

Any usurer would have done this—nay, would have done more—would have paid, during these years, an interest of 18 per cent. per annum, where the the State has paid 7 per cent.

From all which we deduce the conclusion, that our State has been, hitherto, sadly neglectful of her Schools, and that it is now time she repaired this neglect.

In the name, and on behalf, therefore, of the 64,088 children, who look to you and to me for mental food, I appeal to the Legislature of 1859 for a direct appropriation of \$100,000, over and above the usual interest paid upon the School Fund.

I venture to assert that our constituents will heartily sanction the appropriation, and unite in the declaration that the money could not be devoted to a more noble purpose.

### WORKING OF THE SCHOOL SYSTEM.

Connected with the Department of Instruction, and in constant communication with its head, are four hundred and eleven School Marshals, four hundred and thirty-two Teachers, twelve hundred and thirty-three Trustees, forty-three County Superintendents, and forty-three County Treasurers—in all, twenty-one hundred and sixty-two officers.

Either through ignorance or indifference, many of these officers have, in former years, performed their duties in a very spiritless and unsatisfactory manner. Their reports were little more than a barren array of figures, while from many, no reports at all could be obtained.

The State Superintendent has addressed himself with zeal and diligence, during the past year, to a re-organization of the Department, and a reformation of these abuses.

He has, in the first place, prepared with great care, a volume for distribution, containing a very full commentary on the School Law, setting forth, in detail, the powers and duties of School officers, the precise mode of executing the one and fulfilling the other; the true principles of Education, and a large amount of other matter bearing upon the subject.

He has embodied in the same volume a treatise on School Architecture; a recommendation of the text-books that should be used in the Public Schools; extracts from the writings of distinguished friends of learning; the laws relating to our School lands; statistics of the Schools during the last five years; a list of the School officers; and forms for all manner of reports.

This volume he has largely distributed, and in return he has been much gratified, as well by the commendation of those for whose use it was prepared, as by the very marked improvement already exhibited in the performance of their duties.

A new spirit seems to have been infused into a large majority of the officers. Their reports have been, in consequence, prompt, full, and interesting, where they were once backward, dull, and valueless.

With the minute instructions that have been furnished them, the most



ignorant cannot but understand their duties, while every effort has been made to spur the negligent and indifferent to exertion.

Heretofore, the School Marshals have reported little more than the number of children between four and eighteen years of age.

In October, 1858, the State Superintendent prepared the blanks, and required them to take the census, not only of children between four and eighteen years of age, but of those under four years of age; the number of boys—the number of girls—the number born in California—the number of orphans—the number of deaf and dumb.

The result has furnished a mass of information, which will be found embodied in Table A, appended to this report.

The County Superintendents had, in former years, furnished but a barren array of figures.

Their report consisted of some dozen columns, filled or not, as their convenience suited—at best, but the skeleton of a report.

This, too, has been amended.

The State Superintendent prepared a blank appendix, with appropriate headings, and detailed instructions, requiring them to report the number, character, value, and condition of the School sections—the number of School-houses, and a description of each—the attendance at School, and suggestions for increasing it—the steps taken towards grading the Schools—the age of teachers—how many design to make teaching a permanent profession—the capacity of teachers—their experience in teaching—the number of examinations and exhibitions—the visits of parents during the year—the number of months each School has been kept open—the condition of the finances of the Schools, and suggestions for improving the same—the manner in which Trustees perform their duties—the improvements needed in our Schools—the number of private or independent Schools, Academies, and Colleges, and the average number of pupils attending each,—together with such general remarks, upon the subject of Education, as their experience would suggest.

In reply, he has received such reports from the Superintendents of twenty-five Counties. Sixteen Counties have neglected to furnish this appendix to the report.

Although the information obtained is not complete, and, therefore, not entirely satisfactory, an encouraging beginning has been made, and, next year, we may expect a more ready compliance with the instructions of the State Superintendent.

Some of the reports are meritorious, and valuable, displaying great zeal and ability on the part of their authors. They are herewith furnished, with a recommendation that selections from them be printed.

A synopsis of the information they contain will be found in the tabular statements appended to this report.

In concluding this branch of the subject, the State Superintendent would remark that we have the elements of an excellent system of Common Schools.

With proper efforts, and a zealous discharge of duty by School Officers, it can be made to work admirably.

**EDUCATIONAL EXCHANGES.**—The State Superintendent has succeeded in organizing a system of exchanges with the Superintendents of all the other States in the Union—of many of the principal Cities, and of the British Provinces. He has, in consequence, received a large number of valuable School Reports, and other educational documents, and has thus been enabled to profit by the long experience of the whole Union.

It has been by a study of these reports and documents, and a comparison of the magnificent school appliances of other States with the poverty-stricken facilities of our own, that he has, in this report, indulged in what, compared with the tone of former reports from this Department, would seem to be a disparaging strain.

It is impossible for one to rise from the perusal of these reports without being painfully conscious of the deficiencies and imperfections of our Schools.

We have, for instance, an idea that California is a great State, compared with the Province of Upper Canada, and yet the system of public instruction, now in operation in the latter, includes a University, eighty-nine County Grammar Schools and Academies, three Normal and Model Schools, three thousand four hundred and seventy-two Common Schools, one thousand and two hundred and sixty-three Free Schools, an Educational Museum, supplied with a thousand objects of interest, including statuary, paintings, engravings, books, specimens of natural history, geological specimens, philosophical models, and school apparatus.

The School-houses are handsomely built, comfortably furnished, and supplied with extensive libraries and apparatus.

The amount expended by the Province, in 1856, for the support of these institutions of learning, was \$1,680,960; the number of Teachers employed was 3,689, and the average number of months each Common School was kept open during the year was ten.

Bear in mind that all this has been done by Upper Canada alone.

Which, then, has the most right to boast of its enlightenment, the British Province or the proud State of California?

I have mentioned these facts with no intention of depreciating our young and glorious State, but simply to show how great a work there is before us, and to rouse our people to the necessity of energetic action in behalf of the cause of education.

**A REGISTRY FOR TEACHERS.**—The State Superintendent has opened, in connection with his office, a Registry for Teachers seeking employment, and Trustees and others desiring their services. In this way he has been enabled to find positions for a large number of experienced and accomplished Teachers, and, to that extent, displace others who were unfitted for the trust.

It is hoped this will prove a means of improving the standard of qualification throughout the State.

**LECTURES ON EDUCATION.**—If the Legislature will make a small appropriation, to cover necessary expenses, it will be the pleasure of the State Superintendent to address the people of the several Counties, and, by personal appeals, endeavor to rouse them to a sense of their responsibility, and spur them to active efforts in support of the Public Schools. There is, unfortunately, an apathy on this subject, which must be dispelled, ere we can hope for great improvement.

## AMENDMENTS TO THE SCHOOL LAW.

Experience shows that our present School Law may be improved in several particulars. .

The most radical change required is an extension of the term during which a School shall be maintained to entitle it to apportionment, from three months to six months.

In the infancy of our settlements and of our Schools, the three months' term fixed by the Law was perhaps all that could be expected.

Now, of four hundred and thirty-two Schools existing in the State, three hundred and sixty-seven have been established and in operation for two years, three hundred and thirteen for three years, two hundred and twenty-seven for four years, one hundred and sixty-eight for five years, and fifty-three for six years.

Notwithstanding their long establishment, the returns show ninety-three Schools were maintained for only three months, and, including these, two hundred and fifty-nine Schools for less than six months, during the year ending October 31st, 1858.

This, I believe, is in a great measure attributable to the short term established by the Law. The School officers and citizens of a District exert themselves to maintain their School for three months, because, without this, they can obtain no assistance from the State or the County School Funds. But here their efforts too often end.

If the Law were so amended as to require them to keep their School open six months, their exertions would be proportionably increased, and but few of them would fail to meet the additional requirement.

We have reached such a point in the permanency of our settlements, the erection of School-houses, and the influx of experienced Teachers, that it is time to abandon this three months' shift, and aim for something more substantial and effective.

A child's ideas can scarcely germinate under a three months' culture. What kind of an education can it be expected to acquire by skimming through books for so short a period, and running wild for the remaining nine months of the year? All that it has learned—and it must be infinitesimal—it can not but forget during this long period of mental torpor and idleness.

The habits of discipline, to which it was just becoming accustomed, are entirely lost; and the labor of master and the martyrdom of pupil must all be renewed at each succeeding opening of the School.

I therefore recommend that the Law be so amended, that from and after the 31st of October, 1860, no School District be entitled to apportionment of the State School Funds, unless it has maintained a School for six months during the preceding School Year.

Should your honorable body fail to adopt this recommendation, the Law should at least be amended, so as to make the amount apportioned to the several Districts in the State, depend upon the number of months they support a School, as well as upon the number of children between four and eighteen years of age, reported by census.

This would offer a direct premium for extending the term of the School's duration.

It is, besides, but just, that a School, supported for six months, should receive twice as much of the public funds as one kept open only three months.

Our rainy season can not be urged as an objection to the establishment of this system in the rural Districts, for there are always at least six months of continuous fair weather during every year.

**EXAMINATION OF TEACHERS.**—Our present Law is further radically defective, in imposing the duty of examining Teachers, and granting them certificates, upon the District Trustees.

In many, probably in most instances, the Trustees are not competent for this duty, and the consequence has been, a number of ignorant pretenders have foisted themselves upon the Schools, oftentimes with fewer



qualifications, and less ability to teach, than some of their ten-year-old pupils.

This has been painfully forced upon the attention of the State Superintendent, in their communications and reports to this Department.

The remedy is, to establish a high standard of qualification—the mode to organize a Board of Examination for each County, composed of the Teachers and County Superintendent, and a Board of Examination for the State at large, composed of Delegates from the County Boards, and the State Superintendent. From such an organization, none but Teachers thoroughly competent could expect to obtain a certificate. Such certificate, from the State Board, would be a passport to employment in any part of the State.

Such a system would at once weed out from our Schools the shallow imposter, the lazy vagabond, the ruined spendthrift, who betakes himself to the Schools as a last resort to avoid hard labor.

There are many experienced and accomplished Teachers in our State, who are anxious, for the honor of their profession, that a high standard of qualification shall be adopted. They will heartily co-operate in any measure calculated to reach this end. If organized into County Boards of Examination, they will cheerfully and intelligently perform the duties imposed upon them.

**COUNTY TREASURER'S PER CENTAGE.**—It has been the practice of County Treasurers to deduct, from the State and County School Funds, the usual per centage for disbursing the same.

In the opinion of the State Superintendent, fortified by that of the Attorney-General, this is clearly illegal. A circular, embodying these opinions, was issued in September last, to County Superintendents and County Treasurers, but it has been, in many instances, disregarded.

I would recommend that the law on this point be amended, so as clearly and emphatically to define the rights and duties of County Treasurers in the premises.

The School Fund is now so lamentably small, that every dollar of it should be devoted to the support of the Schools proper.

**PAYMENT OF CENSUS MARSHALS AND COUNTY SUPERINTENDENTS.**—Section nineteen of the School Law provides that the County Treasurer, Superintendent, Trustees, and Marshals of Common Schools, within their several Counties, shall respectively receive, for their official services under the Act, such compensation as shall be allowed by the Board of Supervisors. The fund out of which payment is to be made is, however, not specified, and the consequence has been, the Supervisors, in several Counties, have ordered the officers named to be paid out of the School Fund.

The letter of the Law may possibly justify this, but, in the opinion of the State Superintendent, it was never so intended by its framers.

To remove all doubt, it is earnestly recommended that section nineteen be so amended as to prohibit the use of the School Fund for the payment of Officers' salaries.

This Fund should be left intact. The Schools are just now in that critical state, that the retention or subtraction of the amount of these salaries may make the difference between their progress and their decay.

**ADJOINING DISTRICTS TO UNITE FUNDS.**—Permission has been, in several instances, asked by contiguous Districts in adjoining Counties, to unite

their funds in support of one School. Under the existing law, this can not be done. It is, however, highly desirable that the State Superintendent have power to allow this, where it is clearly for the interest and convenience of the citizens. In some cases, an important highway, thickly settled on both sides, forms the boundary between two Counties. The neighborhood is sufficiently populous to justify the establishment of one School, but not of two.

Under existing regulations, the children of families residing in one County, on one side of the road, can not be admitted into a School located in the other County, on the opposite side of the road, nor can the Trustees of the two Districts unite their funds in support of one School for the common benefit of the neighborhood.

This should be remedied by an amendment to the School Law.

**COUNTY TAX FOR THE SUPPORT OF SCHOOLS.**—Section twenty-eight of the School Law empowers each County in the State to raise annually, by special tax, an amount of money not exceeding ten cents on each one hundred dollars of valuation, for the support of Common Schools therein, and providing suitable houses, and purchasing libraries and apparatus for such Schools.

In some of the wealthiest Counties, this is sufficient, but in others it produces but a pittance. Many of the Counties would be willing to impose a larger tax, if allowed by law. Their Schools are in their infancy, and need the fostering care of their guardians; School-houses are to be built—improved furniture to be provided—libraries and apparatus to be procured for the new establishment. These are extraordinary expenses, which have only to be incurred once in many years. They are too large, however, for the ordinary income of the ten-cent tax. Hence, if authority be not given to increase, within reasonable bounds, this tax, many Districts, anxious for the establishment of a School, must wait years before they can obtain the means, while the Schools in others, which now exhibit but a feeble vitality, must languish through poverty, and sink to the level of "Old Field Schools." When they have reached that depth, they are beneath contempt, and had better be abolished, than delude with the mockery of an education.

It is, therefore, recommended that the Law be so amended as to fix the maximum tax allowed to be imposed by the several Counties for the support of Schools, at one-fifth of one per cent.

This will be entirely under the control of the people of the Counties themselves. They need not impose the tax, if they prefer their children to grow up like young savages.

If enlightened and intelligent, however, having full appreciation of their grave responsibilities, they desire to build good School-houses—procure good Teachers—make their Schools inviting resorts to the young, instead of dread and gloomy prisons, they should have the privilege of so doing.

The proposed change can, therefore, do no harm. It may work incalculable good.

**CENSUS REPORTS.**—There is an inconsistency in the Law, fixing the time for Census Marshals and Trustees to report, which ought at once to be remedied.

The Marshals are required to report to the Trustees by the tenth of November of each year, while the Trustees must report on the first of November. If literally complied with, it is apparent the Trustees' reports



can not embody, as they should, the latest returns of the Marshals. This defect the State Superintendent has endeavored to rectify, as far as possible, by his instructions to School officers throughout the State, but not always with success.

It is recommended, therefore, that the dates be transposed, giving the Marshals until the first, and the Trustees until the tenth of November to report.

**NEGROES IN THE PUBLIC SCHOOLS.**—I regret to announce that the odious tastes of the Negrophilist school of mock philanthropists, have found their way, to some extent, into California. In several of the Counties, attempts have been made to introduce the children of Negroes into our Public Schools on an equality with the Whites.

Whenever consulted on the point, the State Superintendent has resolutely resisted such attempts, and employed all the power conferred upon him by law, to defeat them.

In his communications on the subject, he has instructed School officers that our Public Schools were clearly intended for white children alone. The Law provides that in the month of October, the School Marshals shall take the census of the *white children* between the ages of four and eighteen years.

Upon this census, the apportionment of the State and County School Funds is based. It matters not how many Negro children there may be in a School-District, it receives no funds for their education.

Had it been intended by the framers of the law that the children of the inferior races should be educated side by side with the whites, it is manifest the census would have included children of all colors.

If this attempt to force Africans, Chinese, and Diggers, into our white Schools is persisted in, it must result in the ruin of our Schools.

The great mass of our citizens will not associate on terms of equality with these inferior races, nor will they consent that their children should do so. Grant, for the purpose of the argument, and only for that purpose, that this antipathy is unreasonable—that it is but a prejudice—the fact is patent that it is deeply rooted, and wide-spread. Until our people are prepared for practical amalgamation, which will probably not be before the millenium, they will rather forego the benefits of our Schools than permit their daughters—fifteen, sixteen, and seventeen years of age—to affiliate with the sons of Negroes. It is practically reduced to this, then, that our Schools must be maintained exclusively for whites, or they will soon become tenanted by blacks alone.

This intermingling of Negroes with Caucasians is, moreover, a positive cruelty to the former. They are, by the association when children, brought up in the belief that the intimacy can continue in after years. It can only bring mortification and chagrin—and that, the more their sensibilities are cultivated—when time disabuses them of this idea. For these reasons, the State Superintendent has emphatically prohibited their admission into our white Schools. At the same time, it is not desirable, neither does our School Law render it necessary, that they should be brought up in ignorance and heathenism. Any District may establish a separate School for the benefit of the inferior races, and apply a certain portion of the public funds to its support, provided the citizens do not object, which it is presumed they will not do, unless for cogent reasons.

The question involved in these remarks is not a mere abstraction. It is practical—now pressing upon us for solution. The purpose of this introduction, is to ask further legislation on the subject. Under the exist-

ing law, the State Superintendent could do nothing more than employ the influence of his official position to discourage the attempt referred to. He has no authority to punish for disobedience of his instructions. It is recommended, therefore, that power be conferred upon him to withhold the public moneys from any District that permits the admission of the children of the inferior races—African, Mongolian, or Indian—into the Common Schools.

The State Superintendent disclaims any prejudice against a respectable Negro—in his place; but that place is not, in his opinion, an association, on terms of equality, with the white race.

### SCHOOL LANDS.

The lands belonging to the Public Schools of California, consist of the 500,000 acres donated to the State for the purposes of internal improvements; seventy-two sections, embracing 46,080 acres, granted for the use of a Seminary of Learning; and the sixteenth and thirty-sixth sections in each Township, estimated to amount to 5,500,000 acres.

**THE 500,000 ACRES.**—Under the Act of May 3d, 1852, providing for the disposition of the 500,000 acres of School Lands, but 237,760 acres were sold at \$2 per acre, yielding to the School Fund the sum of \$475,520. Further sales under this Act having ceased, the Legislature, at its last session, passed a law, approved April 23, 1858, providing for the location and sale of the unsold portions of the 500,000 acres. The price was reduced to \$1 25 per acre, in cash; or, if the purchaser preferred, he was allowed to pay twenty per cent. of the purchase-money, and one year's interest on the balance, in advance, at the rate of ten per cent. per annum.

Under the operation of this law, 211,174 acres have been sold, making the total number of acres sold, 448,934, and leaving but 51,066 acres to be disposed of. They will, doubtless, be sold by the Locating Agents now in the field, before the expiration of the present session of the Legislature.

The 211,174 acres were sold for \$263,967 50, of which twenty per cent. was paid in cash, realizing \$52,793 50, and ten per cent. interest on the balance, in advance, amounting to \$21,017 40. This last amount is to be distributed, semi-annually, for the support of Schools, in like manner with the interest heretofore paid by the State, on the principal of the School Fund. To recapitulate, the School Fund now stands:

|                                             |                   |
|---------------------------------------------|-------------------|
| Acres sold under old law, 237,760, for..... | \$475,520 00      |
| Acres sold under new law, 211,174, for..... | 263,967 50        |
| Total acres sold.....                       | 448,934, for..... |
|                                             | \$739,487 50      |

The revenue from this will be as follows:

|                                                 |              |
|-------------------------------------------------|--------------|
| Proceeds of sales under old law.....            | \$475,520 00 |
| Cash proceeds under new law (20 per cent.)..... | 52,793 50    |
| Total principal paid up.....                    | \$528,313 50 |

This amount bears interest at the rate of seven per cent. per annum, while the eighty per cent. of the amount for which the lands were sold, under the new law, now remaining unpaid, bears interest at the rate of ten per cent. per annum.

|                                                  |             |
|--------------------------------------------------|-------------|
| Seven per cent. on \$528,313 50, will yield..... | \$36,981 94 |
| Ten per cent. on \$211,174 00, will yield.....   | 21,117 40   |
| Total interest distributable in 1859.....        | \$58,099 34 |

When the sale of the whole 500,000 acres is completed, the School Fund will stand as follows:

|                                                 |                   |              |
|-------------------------------------------------|-------------------|--------------|
| Acres sold under the old law,.....              | 237,760, for..... | \$475,520 00 |
| Acres sold and to be sold under the new law, .. | 262,240, for..... | 327,800 00   |
| Total.....                                      | 500,000, for..... | \$803,320 00 |

When the whole principal is paid up, this will yield, at seven per cent. interest, an annual revenue to the Schools of \$56,232 40.

As long as eighty per cent. of the proceeds of the sales of the 262,240 acres remains unpaid, which will probably be just as long as the purchasers desire, the account will stand as follows:

|                                                                                    |              |
|------------------------------------------------------------------------------------|--------------|
| Proceeds of sales under old law.....                                               | \$475,520 00 |
| Cash proceeds (20 per cent.) of sales made, and to be made under the new law ..... | 65,560 00    |
| Total principal, bearing seven per cent. interest.....                             | \$541,080 00 |
| Seven per cent. interest on \$541,080, will yield.....                             | \$37,875 60  |
| Ten per cent. interest on \$262,240, will yield.....                               | 26,224 00    |
| Total interest on School Fund, when sales are completed.....                       | \$64,099 60  |

From this exhibit, it will be seen, if the whole principal of the School Fund is paid up, the annual income will be \$56,232 40. As long as eighty per cent. of the proceeds of sales under the new law, remains unpaid, the income will be \$64,099 60. In the latter event, showing a gain, per annum, to the Schools, of \$7,867 20. This is the difference between the amount of interest payable by the State upon \$262,240, at seven per cent. per annum, and the amount payable by purchasers, upon the same, at ten per cent. per annum.

Every encouragement should, therefore, be extended to purchasers, to continue this credit system as long as possible. The principal, and the payment of the interest annually, in advance, is amply secured by the law, which provides that a purchaser who shall fail to pay the interest, or the remainder of the principal, when thereunto required by any law of the State, shall forfeit to the School Fund all money paid up, either as principal or interest, together with all right, title, claim, or interest, to the lands purchased, and any other person may purchase the same, on the conditions imposed by the Act.

UNIVERSITY LANDS.—Of the 46,080 acres granted to the State, for the use of a Seminary of Learning, 8,578 86-100 have been sold to date, yielding \$10,723 57, of which twenty per cent., amounting to \$2,144 71, has been paid up in cash. When the whole number of acres is disposed of, the Seminary Fund will amount to \$57,600.

The law provides that, on the twenty-third of April next, the State Board of Examiners shall take and use \$57,600 of any money belonging



to the School Fund—meaning, of course, the proceeds of the sales of lands under the new law—for the purpose of buying Bonds of the State. These Bonds are to be taken by the Treasurer as a special deposit, marked "Seminary Fund," and all interest accruing thereon is to be invested in State Bonds, in the manner prescribed by the Act. If the Bonds are purchased at par, the annual interest on the Seminary Fund will amount to \$4,032 00. If purchased at ninety cents on the dollar, which will probably be the market-price, the principal of the Fund will be \$64,000—the annual interest, \$4,480,000.

**TOWNSHIP LANDS.**—Congress has granted to California the sixteenth and thirty-sixth sections in each Township, for the purposes of Public Schools. This amounts to one-eighteenth of the area of the whole State, and is estimated to embrace about 5,500,000 acres.

If properly managed, this munificent donation would realize a School Fund surpassing that of any other State in the Union—amply sufficient to support a model School in every District, a High School in every County, and a University in the State at large.

But, unfortunately, it never can, in the opinion of the State Superintendent, be properly managed under existing legislation.

At the last session of the Legislature, an Act was passed, approved April 26th, 1858, to provide for the sale of the sixteenth and thirty-sixth sections of land.

That Act grants to the inhabitants of each township the proceeds of the sales of the two School sections lying therein. From an earnest study of the question, the State Superintendent is fully convinced this will prove a fatal error. It is based upon the supposition that, under the grant made by Congress, "the inhabitants of each Township acquired a vested and indefeasible title to the School sections lying therein," and, by consequence, that the Legislature had no right to convert the proceeds of these sections into a General Fund for the support of Schools throughout the State.

From this doctrine, the State Superintendent most earnestly dissents.

The question is of such vital moment to the success of our Schools, involving, as it does, the policy that is to govern the disposition of the school lands for all time to come, that he may be pardoned for urging the grounds of this dissent somewhat at length.

In a former communication on this subject, the proposition was laid down, that "the terms of the Act of Congress donating these sections to California vary strikingly from the language of former Acts making similar grants to other States, and that there was incontrovertible evidence to prove that this variation was *for a purpose*."

A brief glance at former legislation by Congress, on this subject, will establish the proposition.

The Act making the grant to Tennessee reserves section sixteen, "in each Township, for the support of Schools *within the same*." U. S. Stat. at large, ii, 234.

All doubt as to the intention of this grant is removed by an explanatory Act, approved February 15th, 1843, which authorizes the States of Illinois, Arkansas, Louisiana, and Tennessee, to sell the School sections, but expressly declares that the land "shall in no wise be sold without the consent of the *inhabitants* of such Township or District, to be obtained in such manner as the Legislatures of such State shall by law direct; and in the apportionment of the proceeds of said Fund, each Township and Dis-

trict shall be entitled to such part thereof, *and no more*, as shall have accrued from the sum or sums of money arising from the sales of the School lands of such Township or District." U. S. Stat. at Large, v., 600.

Here it will be observed, that in each of the four States named, the grant is, in terms, "to the inhabitants" of each township.

Such inhabitants did, therefore, acquire a vested and indefeasible title of which no Act of the Legislature could divest them.

The grant to Alabama was similar to that made to Tennessee, and the Act of March 2, 1827, contained precisely the same limitations, expressed in the same language, as just quoted.

It requires the consent *of the inhabitants* of each Township to sell the lands therein, and gives to them the proceeds of the sale of the sections of their Township, and *of theirs only*. U. S. Stat. at Large, iv., 237.

ARKANSAS.—The Act of February 15th, 1843, before quoted, fixes the donation of the School-lands *to the inhabitants* of each Township.

ILLINOIS.—The same applies to School lands in this State.

LOUISIANA.—And in this.

ARKANSAS.—The Act admitting this State into the Union grants section sixteen, in every Township, "to the State, for the use *of the inhabitants* of such township, for the use of Schools." U. S. Stat., v., 58.

FLORIDA.—The Act of Congress, approved March 3d, 1845, grants the section sixteen, "for the use *of the inhabitants* of such Township, for the support of Public Schools." U. S. Stat., v., 788.

MISSOURI.—The Act admitting this State into the Union grants section sixteen, as before, "to the State, for the use *of the inhabitants* of such township, for the use of Schools." U. S. Stat., iii, 547.

OHIO.—The Act of February 1st, 1826, authorizes the sale of School land sections, and expressly recognizes the title *of the inhabitants* of each Township to the proceeds of the sale of the section therein. U. S. Stat., iv., 138.

Thus it will be seen that, up to the year 1845, the grants of School sections were, in every instance, made for the use *of the inhabitants* of each township, and such inhabitants, of course, acquired a vested title.

It was not, therefore, in the power of the Legislatures of the States mentioned, to convert the proceeds of the sales of these sections into a General Fund, for the equal benefit of all the Schools, however much they may have desired so to do.

About the date mentioned, the injustice of this policy began to be apparent in the old States.

It often happened that a rich township, containing not more than two hundred and fifty inhabitants, possessed a School section worth fifty dollars an acre, while another township, with a population five times as large, and with a proportionately greater need for school facilities, could not obtain five dollars an acre for its sixteenth section.

This occasioned long-continued murmurings and complaints from the inhabitants of the townships so unfairly treated.

These complaints would seem to have induced a change of policy or



the part of Congress, for, in all subsequent grants, the use of the word "inhabitants" was carefully avoided, and such terms were employed as would permit the Legislature of a new State to organize a General Fund out of the proceeds of the sales of School sections, if such should be the desire of the people.

It will be found, on reference to the Acts, respectively, organizing the Territories of Iowa, Wisconsin, Oregon, Minnesota, Utah, and New Mexico, that the language of the grant is:

"Sections numbered sixteen and thirty-six, in each township in said Territory, shall be, and the same are hereby, reserved for the purpose of being applied to Schools in said Territory, and in the States and Territories hereafter to be erected out of the same." See Statutes of United States, 1848, ch. 177, § 20; Stat. 1849, ch. 121, § 121, § 18; Stat. 1850, ch. 49, § 15; Stat. 1850, ch. 51, § 15; Stat. 1850, ch. 76, § 9, etc.

Here the grant is no longer "to the inhabitants of the township," as in the case of all the old States, but to the State or Territory, "for the purpose of being applied to Schools."

In these new States, therefore, "the inhabitants" could claim no exclusive interest in the School lands lying within their township.

The same is true of the grant to California, made by the Act of March 3d, 1853.

Prior to the passage of that Act, the attention of our Senators and Representatives was called to the injustice occasioned by the grant to the inhabitants, and the deep dissatisfaction existing in consequence, among the citizens of the old States, and they were urged to have the grant about to be made to California couched in such terms as would permit our people, if they so desired, to convert all our School lands into a General Fund, for the equal benefit of Schools in all parts of the State.

It was, I am justified in saying, in consequence of these representations, that the language employed in grants made to the old States was changed in the case of California, so as to read as follows:

"Sections sixteen and thirty-six shall be, and are hereby, granted to the State, for the use of Public Schools, in each township."

Here there is no mention of "inhabitants," and I contend *the omission was for a purpose*. It was to prevent the inhabitants of a township from claiming an exclusive interest in the School sections lying therein. It was to prevent them from asserting that "vested and indefeasible interest" which the framers of the Act of our Legislature, approved April 26th, 1858, would seem to have recognized.

It is not irreconcilable with the language of the grant of sections sixteen and thirty-six to this State, to devote them to the equal benefit of *all the Schools*.

The proceeds may still be used, as the grant requires, "for the purposes of Public Schools in each township," but it does not necessarily follow, that five thousand dollars should be assigned to the support of a School in one township, containing two hundred and fifty inhabitants, while but one thousand dollars is appropriated to maintain a School in another township, with two or three thousand inhabitants.

The true and only just policy is, to apportion the Fund derived from the School lands, among the several townships throughout the State, in proportion to the number of children residing therein, reported by census.

To this policy, the Act of April 26th, 1858, is in direct antagonism, and ought, therefore, to be repealed.

The evils resulting from this Act—its unjust and unequal operation—

are scarcely as yet appreciated. But in a few years, when certain townships, without any School lands, or lands so poor as to be comparatively worthless, begin to observe that other townships, not a whit more deserving, and perhaps in much less need, are deriving a handsome revenue from the sale of their School lands, and to that extent are enabled to dispense with taxation, there will be a general burst of indignation, and a call for the repeal of the Act, when it will be too late.

The only objection the State Superintendent has ever heard against the policy here advocated, is, that these lands will produce so large a Fund, if the proceeds are placed in the State Treasury, that no one officer can be safely trusted with its custody.

There need be no apprehension on this score, for some years, at least. But even should the Fund reach \$4,000,000, how easy would it be, as fast as \$10,000 accumulates, to invest it in State Stocks, as is now done under the Act of April 23, 1858, and place them in the Treasury as a special deposit, the State paying, as now, the semi-annual interest for the support of the Schools. In this way, there would be no opportunity, even supposing the Treasurer unfaithful, to convert this Fund, however large it may be, to improper uses. The largest amount entrusted to him at any one time, would be but \$10,000, and that sum his bonds would always secure.

The condition of the School sections throughout the State furnishes strong reasons why they should be placed under the charge and management of some central authority. In many of the Counties, the Township lines have not been run by the United States Surveyors, and hence it is not known to how many sections such Counties are entitled. They are generally mining Counties, where the lands are considered as reserved for public uses, and where, therefore, the State can not be expected to claim, as School lands, the precise sixteenth and thirty-sixth sections fixed by the Surveyors' lines. But she can and will claim the right to select an equivalent number of sections in other parts of the State, in lieu of those relinquished.

The same remarks apply to those Counties in which the School sections are covered by Mexican grants, and further, to those in which these sections are settled on before survey.

The consequence is, that for one or other of these reasons, nine out of ten of the School sections must be relinquished, and others selected in lieu thereof.

For the management of this intricate business, the Act of April 26, 1858, provides a cumbrous machinery.

To perfect a selection and sale of a School section under this Act, the concurrent action of the inhabitants of the Township, the Board of Supervisors, the Superintendent of Common Schools, the State Locating Agent, the U. States Land Register, the Register of the State Land Office, the Department in Washington, the Governor, the Sheriff of the County in which the selection is made, the Board of Supervisors of the same, and the Treasurer of the County in which the lands were relinquished, is necessary.

What efficiency can be expected from such complicated machinery?

How many School sections will it secure in a year? In eight months it has not effected the sale of one.

Abolish it altogether, and confide the management to the State Board of Education, or make the disposition of these lands subject to the same simple regulations which govern the sale of the 500,000 acres—regulations under which 250,000 acres have been located and sold in less than

six months—and there will be some hope of making this magnificent domain available in our generation. Under the present system, I see none.

To give some idea of the executive ability necessary to secure to us the full benefit of this munificent grant to the Schools, I would state that the area of California is carefully estimated at 99,463,680 acres, of which one-eighteenth part, amounting, in the aggregate, to 5,525,760 acres, has been donated to the State for educational purposes.

The State Superintendent, anxious to furnish to the Legislature as intelligent an exhibit of the condition of the School sections as possible, supplied each County Superintendent with the necessary blanks in August last, and required him to report, under minute instructions, the number of sixteenth and thirty-sixth sections surveyed in the County—a full description of the same by sections—the number settled on before survey—the number settled on after survey—the number covered by Mexican grants—the probable number of additional sections to which the County would be entitled if the United States surveys were completed—the number worthless, by reason of falling on mountainous, marshy, or desert lands, and the number upon which waste has been committed, and the nature and extent of such waste.

It is to be regretted, that some of the County Superintendents have neglected to comply with these instructions of the State Superintendent.

Twenty-five Counties, however, have reported, in thirteen of which there are no available School sections, because they have either not been surveyed, or are fully covered by Mexican grants. These Counties are: San Francisco, Amador, Contra Costa, Mariposa, Nevada, Plumas, Santa Clara, San Bernardino, San Mateo, Sierra, Solano, Sonoma, and Trinity.

The same remarks will probably apply to the following Counties, although no reports have been received from them, viz.: Los Angeles, Marin, Monterey, San Diego, Santa Barbara, Santa Cruz, and San Luis Obispo.

In the remaining twelve Counties—Alameda, Butte, Calaveras, Colusa, Del Norte, Merced, Napa, Placer, Shasta, Siskiyou, Stanislaus, and Yolo, which have reported, the record shows that there are but two hundred and seventy-nine School sections surveyed, amounting to 178,560 acres. Of arable land, there are forty-two and a quarter sections, or 27,040 acres; of land fit for pasturage only, seventy-eight and a half sections, or 50,240 acres; of timber land, twenty-one sections, or 13,440 acres; of mineral lands, five sections, or 3,200 acres; of land not described, seventy-five and a half sections, or 48,320 acres; of land entirely worthless, one hundred and fifty-nine and a half sections, or 102,080 acres; of land settled on before survey, twenty-four sections, or 15,360 acres; of land settled on after survey, one and a half sections, or 960 acres; of land covered by Mexican grants, sixty sections, or 38,400 acres; of land upon which waste has been committed, one section, or 640 acres.

Although this exhibit does not embrace the whole State, and is not therefore entirely satisfactory, it comprehends so large a portion, that we may safely draw our inferences from it.

The first, and the most startling inference that forces itself upon us, is, that out of 5,525,760 acres, to which the Schools are entitled, there are available at the present time, but 27,040 acres of arable land; 50,240 acres of pasture land; and 13,440 acres of timber land. In all, 90,720 acres.

If we suppose that one-half the land not described is available, it will raise the aggregate to 114,880 acres. To such pigmy proportions has our



magnificent domain of five and a half millions of acres practically dwindled!

And yet we have a full title to these five and a half millions of acres, and, if proper administrative ability is employed, we can secure them all.

The great question for solution, then, is, what machinery shall we organize to increase our available School Fund from 114,880 acres, as it is, to 5,525,760 acres, as it ought to be?

It is apparent, from what has been said, that two important steps are necessary: First—that the State formally relinquish the precise sixteenth and thirty-sixth sections, fixed or to be fixed by the lines of the U. S. Surveyors, which prove to be covered by Mexican grants—or fall on mineral lands, or were settled on before survey—and this, it has been shown, will embrace very nearly all the School sections in the State; and, second—that through her appointed agents, she select other lands, to an equivalent amount, in the most desirable parts of the State.

The question is, then, practically narrowed down to the selection and sale of about 5,400,000 acres of the best agricultural land that can be found unoccupied.

It is for you to judge, gentlemen, whether the cumbrous machinery of the existing law, before described, will ever effect this. Multiply the complicated processes required in one county before a School section can be made available, by the average number of such sections in a county, and that again by the number of Counties, and you will perceive the infinite divisibility of the responsibility, and the utter impossibility of securing anything like dispatch or system.

It is only a high order of administrative ability—and that with full powers—that is equal to the task.

**COMPLETING THE SURVEYS.**—In this connection, your honorable body is earnestly requested to urge upon the Federal Government an appropriation sufficient to allow the U. S. Surveyor-General for California to run the Township-lines throughout the mining Counties, and the Counties generally covered by Mexican grants. It is only in this way we can ascertain to how many sections these Counties are entitled, and this we must ascertain before we can select others in lieu of those relinquished.

**SECTIONS IN LIEU OF WORTHLESS LANDS.**—It is found that a large number of School Sections fall on mountainous, desert, and marshy lands, and are therefore utterly worthless.

The grant of such lands is a mere mockery.

The toiling millions of China could make nothing out of them.

I would recommend your honorable body to instruct our Senators and Representatives to make a vigorous effort to secure from Congress such legislation as will permit us to relinquish these worthless lands, and select others in more desirable parts of the State.

### THE FIVE PER CENT. FUND.

In a special communication to the Governor, and, through him, to the Legislature, I called attention, in March last, to the grounds upon which California has the right to claim, from the Federal Government, five per cent. of the proceeds of the sales of public lands within our limits.

Without going into details, it is sufficient to say, that the policy of making such a grant to the new States, was inaugurated in 1802, in the Act authorizing the people of Ohio Territory to form a constitution and State

government. It was re-affirmed in the Act of March 3, 1803, admitting Ohio into the Union.

Three per cent. was to be devoted to the laying out, opening, and making of roads within the State, and two per cent. to the construction of roads leading to the State.

This grant was not made without a valuable consideration. It was expressly on condition that the State should exempt every tract of land sold by Congress within her limits, from every tax, for the term of five years from and after the day of sale. The policy thus inaugurated was uniformly adhered to, on the admission of each successive new State.

The same grant was made to Louisiana by Act of February 20, 1811—to Indiana, by Act of April 19, 1816—to Mississippi, by Act of March 3, 1817—to Illinois, by Act of April 18, 1818—to Alabama, by Act of March 2, 1819—to Missouri, by Act of March 6, 1820—and, again, to Mississippi and Alabama, by Act of July 4, 1836—to Arkansas, by Act of June 23, 1836—to Michigan, by Act of June 23, 1836—to Florida, by Act of March 3, 1845—to Iowa, by Act of March 3, 1845—to Wisconsin, by Act of March 3, 1847—and to Minnesota, by Act of February 26, 1857.

It will thus be seen that, from the admission of Ohio, in 1803, to that of Minnesota, in 1857, Congress has uniformly granted this Five Per Cent. Fund to the new States, with the single exception of California.

The Act admitting our State into the Union, approved September 9, 1850, carefully omitted this grant, while it as carefully imposed all the conditions which had, in the case of other States, formed the consideration for the grant.

It stipulated that our people, through their Legislature, or otherwise, "shall never interfere with the primary disposal of the public lands within our limits; that they shall never lay any tax, or assessment of any description whatsoever, upon the public domain of the United States; shall not tax non-resident proprietors higher than residents, and that all the navigable waters within the State shall be common highways, and forever free, as well to the inhabitants of the State as to the citizens of the United States, without any tax, impost, or duty, therefor."

Here are considerations amply sufficient to justify our claim to the usual grant of five per cent. of the proceeds of the sale of public lands within our limits.

They are precisely the same considerations which prompted the grant to all the other States, and there is no reason why we should be singled out as an exception.

We have faithfully complied with these conditions. For eight years we have refrained from taxing the lands of the United States. Had we imposed the same tax upon them as upon private lands, the proceeds would have amounted, by this time, to much more than the five per cent. on the sales of United States lands is likely to realize.

The omission to make us this grant in the Act of admission, was, no doubt, an oversight on the part of Congress; for it is hardly to be supposed that body deliberately intended to make an invidious distinction in our case—to except us from the benefits of a rule of universal application, both before and since our admission into the Union.

I presume it is only necessary to call the attention of Congress to the case, to obtain the passage of an Act granting us this Fund.

To that end, I would recommend that our Senators and Representatives be again instructed to use their utmost efforts to secure the necessary legislation.

The matter is of considerable importance to us, as some three million



acres of land will probably be offered for sale by the United States during the present year.

Should these lands be sold at the minimum price—\$1 25 per acre—they will yield \$3,750,000, five per cent. of which would be \$187,500.

This would be a very acceptable addition to our present pitifully small School Fund.

I say, to our School Fund, because the framers of our Constitution, evidently anticipating that the usual grant would be made to us, expressly provided, in Article IX, section 2, that "such per cent. as may be granted by Congress, on the sale of lands in this State, shall be inviolably appropriated to the support of Common Schools throughout the State."

It is true, the original purpose of grants of this kind was to aid in the construction of roads leading to, and within, the several States, but, in two instances at least—Illinois and Florida—Congress has set the precedent of devoting this Five Per Cent. Fund to the cause of Education.

No objection can therefore be urged against the same disposition of it, made by our Constitution.

### STATE UNIVERSITY AND MILITARY INSTITUTE.

Without going into details, I renew the recommendation contained in my last Annual Report, that immediate measures be adopted for the establishment of a State University on the military plan. For the reasons prompting this recommendation, and the details of a proper organization, I respectfully refer to that Report.

In conclusion, let me express the earnest hope that the recommendations of the State Superintendent be not treated quite so cavalierly as in some former years. They have not been made for effect, in the common acceptance of that expression, nor simply because some kind of a report was required, but from a deep and abiding conviction of their necessity.

The views of an officer who has made the subject of Education his specialty—who has devoted much thought and not a little study to its consideration, are surely entitled to some weight.

Respectfully submitted,

ANDREW J. MOULDER,

Superintendent of Public Instruction.

DEPARTMENT OF INSTRUCTION, January 3d, 1859.

# TABULAR STATEMENTS.

[A.]

## EXHIBIT OF THE CONDITION OF THE PUBLIC SCHOOLS

*During the Year ending October 31, 1858.*

| COUNTIES.          | Grade of Schools. |             |                   |              |            | Number of Schools..... | Number of Female Teachers..... | Number of Male Teachers..... | Number of Teachers..... | Daily average attendance..... | Number of Pupils attending Schools... | Number of Deaf and Dumb..... | Number of Orphans..... | Children of all ages born in California. | Number of Children under four years... | Number of Girls..... | Number of Boys..... | Number of Children between four and eighteen years ..... | Number of Districts..... |
|--------------------|-------------------|-------------|-------------------|--------------|------------|------------------------|--------------------------------|------------------------------|-------------------------|-------------------------------|---------------------------------------|------------------------------|------------------------|------------------------------------------|----------------------------------------|----------------------|---------------------|----------------------------------------------------------|--------------------------|
|                    | Primary.....      | Mixed ..... | Intermediate..... | Grammar..... | High ..... |                        |                                |                              |                         |                               |                                       |                              |                        |                                          |                                        |                      |                     |                                                          |                          |
| Alameda.....       | 4                 | 11          | 1                 | ...          | ...        | 16                     | 6                              | 10                           | 16                      | 278                           | 498                                   | 35                           | 35                     | 1,070                                    | 711                                    | 567                  | 607                 | 1,174                                                    | 16                       |
| Amador.....        | 10                | 2           | ...               | ...          | ...        | 12                     | 5                              | 8                            | 13                      | 309                           | 502                                   | 26                           | 26                     | 737                                      | 609                                    | 485                  | 615                 | 1,100                                                    | 12                       |
| Butte.....         | 3                 | 3           | ...               | ...          | ...        | 13                     | 3                              | 11                           | 14                      | 230                           | 401                                   | 12                           | 12                     | 434                                      | 417                                    | 332                  | 436                 | 768                                                      | 14                       |
| Calaveras .....    | 14                | ...         | ...               | ...          | ...        | 14                     | 7                              | 7                            | 14                      | 204                           | 321                                   | 16                           | 1                      | 889                                      | 704                                    | 488                  | 613                 | 1,101                                                    | 14                       |
| Colusa .....       | 7                 | ...         | ...               | ...          | ...        | 8                      | 5                              | 3                            | 8                       | 93                            | 146                                   | 21                           | ...                    | 216                                      | 185                                    | 146                  | 140                 | 286                                                      | 8                        |
| Contra Costa ..... | 13                | ...         | ...               | ...          | ...        | 13                     | 3                              | 10                           | 13                      | 229                           | 358                                   | 20                           | ...                    | 806                                      | 452                                    | 408                  | 431                 | 839                                                      | 10                       |
| Del Norte.....     | 2                 | ...         | ...               | ...          | ...        | 2                      | ...                            | 2                            | 2                       | 31                            | 58                                    | 2                            | ...                    | 87                                       | 87                                     | 41                   | 51                  | 92                                                       | 3                        |
| El Dorado.....     | 23                | ...         | ...               | ...          | ...        | 24                     | 7                              | 18                           | 25                      | 422                           | 714                                   | 25                           | 4                      | 1,459                                    | 1,201                                  | 811                  | 925                 | 1,736                                                    | 24                       |
| Humboldt .....     | 1                 | ...         | ...               | ...          | ...        | 4                      | ...                            | 4                            | 4                       | 69                            | 115                                   | 21                           | ...                    | 225                                      | 174                                    | 126                  | 175                 | 301                                                      | 5                        |
| Los Angeles.....   | 5                 | ...         | ...               | ...          | ...        | 8                      | 3                              | 5                            | 8                       | 184                           | 442                                   | 141                          | 2                      | 1,707                                    | 506                                    | 763                  | 788                 | 1,551                                                    | 4                        |
| Marin .....        | 4                 | ...         | ...               | ...          | ...        | 4                      | ...                            | 4                            | 4                       | 11                            | 15                                    | 5                            | 1                      | 32                                       | 13                                     | 24                   | 25                  | 49                                                       | 4                        |
| Mariposa.....      | 5                 | ...         | ...               | ...          | ...        | 5                      | ...                            | 5                            | 5                       | 90                            | 133                                   | 35                           | 1                      | 346                                      | 254                                    | 174                  | 176                 | 350                                                      | 5                        |

|                       |     |        |        |        |        |        |      |        |        |     |       |       |     |     |     |     |       |
|-----------------------|-----|--------|--------|--------|--------|--------|------|--------|--------|-----|-------|-------|-----|-----|-----|-----|-------|
| Merced .....          | 3   | 115    | 60     | 55     | 76     | 103    | 17   | 73     | 46     | 6   | 6     | 5     | 5   | 5   | 5   | 5   | ..... |
| Monterey .....        | 5   | 990    | 537    | 453    | 455    | 1,124  | 59   | 258    | 150    | 7   | 5     | 2     | 5   | 5   | 5   | 5   | ..... |
| Napa .....            | 16  | 1,007  | 538    | 469    | 469    | 569    | 49   | 497    | 349    | 16  | 13    | 3     | 14  | 14  | 14  | 14  | ..... |
| Nevada .....          | 10  | 1,369  | 722    | 647    | 797    | 949    | 14   | 501    | 232    | 12  | 5     | 7     | 10  | 10  | 10  | 10  | ..... |
| Placer .....          | 16  | 985    | 489    | 496    | 609    | 723    | 43   | 397    | 302    | 16  | 11    | 5     | 16  | 16  | 16  | 16  | ..... |
| Plumas .....          | 3   | 205    | 117    | 88     | 149    | 132    | 17   | 55     | 39     | 3   | 3     | ..... | 3   | 3   | 3   | 3   | ..... |
| Sacramento .....      | 34  | 2,898  | 1,488  | 1,410  | 1,664  | 2,191  | 106  | 1,543  | 1,098  | 45  | 24    | 21    | 37  | 37  | 37  | 37  | ..... |
| San Bernardino .....  | 8   | 686    | 371    | 315    | 299    | 421    | 27   | 315    | 206    | 9   | 8     | 1     | 8   | 8   | 8   | 8   | ..... |
| San Diego .....       | 1   | 129    | 67     | 62     | 49     | 168    | 11   | 56     | 25     | 1   | 1     | ..... | 1   | 1   | 1   | 1   | ..... |
| San Francisco .....   | 12  | 6,375  | 3,306  | 3,069  | 5,850  | 7,539  | 297  | 5,273  | 2,521  | 68  | 12    | 56    | 26  | 26  | 26  | 26  | ..... |
| San Joaquin .....     | 28  | 1,865  | 1,028  | 837    | 718    | 862    | 49   | 1,139  | 601    | 31  | 25    | 6     | 31  | 31  | 31  | 31  | ..... |
| San Luis Obispo ..... | 1   | 313    | 145    | 168    | 38     | 351    | 8    | 26     | 15     | 1   | 1     | ..... | 1   | 1   | 1   | 1   | ..... |
| San Mateo .....       | 3   | 431    | 211    | 220    | 218    | 385    | 20   | 146    | 92     | 5   | 5     | ..... | 5   | 5   | 5   | 5   | ..... |
| Santa Barbara .....   | 4   | 878    | 442    | 436    | 342    | 1,149  | 111  | 100    | 54     | 2   | ..... | ..... | 2   | 2   | 2   | 2   | ..... |
| Santa Clara .....     | 17  | 2,558  | 1,367  | 1,191  | 1,020  | 1,915  | 151  | 802    | 447    | 23  | 18    | 5     | 19  | 19  | 19  | 19  | ..... |
| Santa Cruz .....      | 4   | 632    | 378    | 274    | 257    | 434    | 29   | 218    | 122    | 7   | 4     | 3     | 4   | 4   | 4   | 4   | ..... |
| Shasta .....          | 10  | 448    | 216    | 232    | 284    | 303    | 15   | 220    | 150    | 11  | 11    | ..... | 10  | 10  | 10  | 10  | ..... |
| Sierra .....          | 6   | 344    | 180    | 164    | 339    | 398    | 16   | 173    | 111    | 6   | 3     | 3     | 6   | 6   | 6   | 6   | ..... |
| Siskiyou .....        | 11  | 459    | 231    | 228    | 348    | 401    | 62   | 215    | 100    | 7   | 6     | 1     | 7   | 7   | 7   | 7   | ..... |
| Solano .....          | 11  | 1,228  | 596    | 632    | 492    | 512    | 35   | 451    | 272    | 13  | 10    | 3     | 10  | 10  | 10  | 10  | ..... |
| Sonoma .....          | 38  | 2,951  | 1,578  | 1,373  | 1,423  | 1,889  | 187  | 1,775  | 996    | 50  | 38    | 12    | 42  | 42  | 42  | 42  | ..... |
| Stanislaus .....      | 5   | 200    | 114    | 86     | 29     | 49     | 11   | 72     | 48     | 3   | 3     | ..... | 3   | 3   | 3   | 3   | ..... |
| Sutter .....          | 7   | 374    | 202    | 172    | 200    | 251    | 34   | 198    | 121    | 7   | 5     | 2     | 7   | 7   | 7   | 7   | ..... |
| Tehama .....          | 4   | 238    | 140    | 98     | 96     | 150    | 24   | 99     | 49     | 3   | 2     | 1     | 2   | 2   | 2   | 2   | ..... |
| Trinity .....         | 1   | 160    | 87     | 73     | 132    | 143    | 4    | 75     | 45     | 1   | 1     | ..... | 1   | 1   | 1   | 1   | ..... |
| Tulare .....          | 3   | 285    | 155    | 130    | 137    | 152    | 12   | 35     | 25     | 2   | 2     | ..... | 2   | 2   | 2   | 2   | ..... |
| Tuolumne .....        | 9   | 1,213  | 652    | 561    | 772    | 1,149  | 69   | 483    | 283    | 10  | 9     | 1     | 9   | 9   | 9   | 9   | ..... |
| Yolo .....            | 11  | 790    | 418    | 372    | 437    | 516    | 54   | 385    | 217    | 11  | 6     | 5     | 10  | 10  | 10  | 10  | ..... |
| Yuba .....            | 11  | 1,037  | 527    | 510    | 546    | 610    | 16   | 539    | 317    | 15  | 7     | 8     | 15  | 15  | 15  | 15  | ..... |
| Totals .....          | 411 | 40,530 | 21,344 | 19,186 | 23,558 | 33,546 | 1906 | 19,822 | 11,183 | 517 | 333   | 184   | 432 | 432 | 432 | 432 | 322   |





|                 |             |              |              |             |            |              |              |                       |
|-----------------|-------------|--------------|--------------|-------------|------------|--------------|--------------|-----------------------|
| Merced.....     | 162 00      | .....        | 874 16       | 19 00       | 7 75       | 900 61       | 837 48       | B. F. Howell.         |
| Monterey.....   | .....       | 111 00       | 2,018 00     | 67 00       | .....      | 1,434 00     | 1,066 23     | James H. Gleason.     |
| Napa.....       | 867 68      | 3,285 50     | 1,498 07     | 1,170 00    | 72 00      | 4,479 75     | 603 27       | James Corwin.         |
| Nevada.....     | 1,790 50    | 2,396 95     | 3,945 85     | 1,055 20    | .....      | 3,598 70     | .....        | C. T. Overton.        |
| Placer.....     | 1,298 95    | 2,802 14     | 3,682 74     | 4,770 80    | 21 25      | 9,745 17     | 1,854 94     | Percival C. Millette. |
| Plumas.....     | 117 93      | 762 07       | 432 93       | 176 83      | 10 00      | 1,326 83     | 387 33       | J. C. Church.         |
| Sacramento..... | 3,664 19    | 3,875 42     | 24,521 95    | 16,671 76   | 25 00      | 45,204 51    | 15,593 60    | Nelson Slater.        |
| San Bernardino  | 1,572 19    | 342 07       | 1,655 43     | 790 50      | 430 00     | 2,531 00     | 84 26        | R. R. Pearce.         |
| San Diego.....  | 300 00      | .....        | 540 00       | 144 00      | .....      | 684 00       | 253 42       | Frank Ames.           |
| San Francisco.. | 8,061 30    | 62,252 39    | 62,252 39    | 14,691 45   | 542 19     | 92,355 71    | 88,429 24    | Henry B. Jones.       |
| San Joaquin.... | 601 42      | 11,007 04    | 1,738 55     | 3,940 85    | 212 00     | 16,117 73    | 1,137 10     | E. W. Hager.          |
| S'n Luis Obispo | .....       | .....        | 400 00       | 90 00       | 54 13      | 553 43       | 206 00       | P. A. Forrester.      |
| San Mateo.....  | 594 66      | 999 00       | 1,879 00     | 55 25       | 3 00       | 2,625 75     | 1,497 49     | J. V. Diller.         |
| Santa Barbara.. | 225 00      | .....        | 225 00       | 88 00       | .....      | 313 00       | 500 49       | A. F. Hinchman.       |
| Santa Clara.... | 5,959 50    | 5,156 50     | 10,531 00    | 5,423 00    | 67 00      | 16,826 00    | 3,572 81     | Matthew Mitchell.     |
| Santa Cruz..... | 1,417 24    | 2,147 83     | 2,478 00     | 760 25      | .....      | 3,414 25     | 752 58       | J. F. J. Bennett.     |
| Shasta.....     | 434 92      | 692 50       | 2,816 00     | 1,079 50    | 30 00      | 4,123 00     | 1,735 55     | Grove K. Godfrey.     |
| Sierra.....     | .....       | 1,040 25     | 1,225 00     | 715 00      | .....      | 2,288 00     | .....        | Z. W. Keyes.          |
| Siskiyou.....   | 433 35      | 1,536 83     | 1,575 49     | 932 64      | 16 00      | 4,160 71     | 2,128 62     | George F. Price.      |
| Solano.....     | 1,895 34    | 3,448 00     | 5,543 00     | 2,900 80    | 100 00     | 8,665 30     | 1,849 37     | S. Woodbridge, jr.    |
| Sonoma.....     | 3,541 86    | 11,887 27    | 17,529 67    | 3,038 33    | 141 00     | 21,327 50    | 4,176 97     | William G. Lee.       |
| Stanislaus..... | 146 28      | 565 82       | 584 18       | 25 00       | 40 00      | 1,215 00     | 329 73       | Wm. D. McDaniel.      |
| Sutter.....     | 425 66      | 972 72       | 1,393 38     | 112 50      | .....      | 1,510 88     | 1,085 22     | C. E. Wilcoxson.      |
| Tehama.....     | 1,111 13    | 390 00       | 624 91       | 338 89      | .....      | 1,395 91     | 1,111 13     | P. W. Degrupe.        |
| Trinity.....    | 187 62      | 209 00       | 1,068 00     | 210 65      | .....      | 1,721 27     | 1,324 65     | M. Ruch.              |
| Tulare.....     | 100 00      | 500 00       | 100 00       | 1,000 00    | 115 00     | 1,115 00     | 208 91       | E. E. Calhoun.        |
| Tuolumne.....   | 1,689 44    | 1,276 90     | 4,316 33     | 3,097 30    | 28 50      | 7,168 13     | 4,233 75     | George S. Evans.      |
| Yolo.....       | 1,060 08    | 2,474 09     | 2,577 93     | 795 60      | .....      | 5,844 80     | 1,757 69     | Henry Gaddis.         |
| Yuba.....       | 2,981 00    | 4,001 00     | 7,477 00     | 12,921 00   | 874 00     | 21,648 00    | 760 00       | Edw. B. Walsworth.    |
| Totals.....     | \$55,382 71 | \$147,370 92 | \$203,276 37 | \$88,199 70 | \$3,042 78 | \$339,914 77 | \$162,889 69 |                       |

[B]

SCHOOL-HOUSES AND TEACHERS, FOR THE YEAR 1858.

| COUNTIES.            | Number of School-Houses..... | Number built of Brick ..... | Number built of Wood ..... | Age of Teachers ..... | How many design to make Teaching a Permanent Profession ..... | Capacity of Teachers. |                    |                   | Experience in Teaching .....   | Number of Private Schools ..... | Number of Pupils in Private Schools... |
|----------------------|------------------------------|-----------------------------|----------------------------|-----------------------|---------------------------------------------------------------|-----------------------|--------------------|-------------------|--------------------------------|---------------------------------|----------------------------------------|
|                      |                              |                             |                            |                       |                                                               | First Class .....     | Second Class ..... | Third Class ..... |                                |                                 |                                        |
| Alameda.....         | 12                           | .....                       | 12                         | 16 to 56 years..      | 2                                                             | 11                    | 9                  | 2                 | 6 months to 16 years .....     | 3                               | 135                                    |
| Amador.....          | 9                            | 1                           | 8                          | 21 to 35 years..      | .....                                                         | .....                 | .....              | .....             | .....                          | .....                           | .....                                  |
| Calaveras.....       | 12                           | 1                           | 11                         | 19 to 38 years..      | 5                                                             | .....                 | 12                 | .....             | 3 to 5 years .....             | None..                          | None..                                 |
| Colusa.....          | 2                            | .....                       | 2                          | 20 to 30 years..      | None..                                                        | 1                     | 2                  | 5                 | Very little .....              | None..                          | None..                                 |
| Contra Costa.....    | 12                           | .....                       | 12                         | 25 to 30 years..      | None..                                                        | .....                 | 13                 | .....             | .....                          | 4                               | .....                                  |
| Del Norte.....       | 3                            | .....                       | 3                          | .....                 | 2                                                             | 2                     | 1                  | .....             | Two, 10 years; one, 3 months.. | 1                               | 30                                     |
| Mariposa.....        | 5                            | .....                       | 5                          | 27 to 50 years..      | 5                                                             | 4                     | 1                  | .....             | 6 to 20 years .....            | 3                               | .....                                  |
| Merced.....          | 4                            | .....                       | 4                          | 22 to 45 years..      | None..                                                        | .....                 | 2                  | .....             | Little .....                   | None..                          | None..                                 |
| Napa.....            | 13                           | .....                       | 13                         | 22 to 50 years..      | 6                                                             | 5                     | .....              | 11                | 1 to 16 years .....            | 2                               | .....                                  |
| Nevada.....          | 9                            | .....                       | 9                          | 22 to 40 years..      | 2                                                             | 3                     | 3                  | 6                 | .....                          | 6                               | .....                                  |
| Placer.....          | 16                           | .....                       | 16                         | 18 to 45 years..      | None..                                                        | .....                 | 4                  | 12                | Little .....                   | 1                               | 6                                      |
| Plumas.....          | 1                            | .....                       | 1                          | 22 years .....        | None..                                                        | .....                 | .....              | 3                 | .....                          | None..                          | .....                                  |
| San Bernardino ..... | 8                            | 2                           | 6                          | .....                 | .....                                                         | 2                     | .....              | 7                 | .....                          | None..                          | .....                                  |
| San Francisco .....  | 14                           | 4                           | 10                         | 25 to 30 years..      | 20                                                            | 28                    | 28                 | 12                | .....                          | 8                               | 1200                                   |



## [C]

## NUMBER, CHARACTER, AND CONDITION OF SCHOOL SECTIONS IN THE SEVERAL COUNTIES.

| COUNTIES.     | Number of Sections surveyed in the County..... | Number of Sections of Arable Land..... | Number of Sections fit for Pasturage only..... | Number of Sections of Timber Land..... | Number of Sections of Mineral Land..... | Character unspecified..... | Number of Sections worthless, by reason of falling on Mountainous, Marshy, or Desert Lands..... | Number of Sections settled on before Survey..... | Number of Sections settled on after Survey..... | Number of Sections covered by Mexican Grants..... | Probable No. of additional Sections to which County would be entitled if U. S. Surveys were completed..... | School Sections upon which waste has been committed..... |
|---------------|------------------------------------------------|----------------------------------------|------------------------------------------------|----------------------------------------|-----------------------------------------|----------------------------|-------------------------------------------------------------------------------------------------|--------------------------------------------------|-------------------------------------------------|---------------------------------------------------|------------------------------------------------------------------------------------------------------------|----------------------------------------------------------|
| Alameda.....  | 41                                             | .....                                  | 11 $\frac{1}{4}$                               | 1                                      | .....                                   | 9                          | 1 $\frac{1}{2}$                                                                                 | 3                                                | 1                                               | 18                                                | .....                                                                                                      | 1                                                        |
| Butte.....    | 22                                             | .....                                  | .....                                          | .....                                  | .....                                   | 22                         | .....                                                                                           | .....                                            | .....                                           | .....                                             | .....                                                                                                      | .....                                                    |
| Calaveras ... | 4                                              | .....                                  | 4                                              | .....                                  | .....                                   | .....                      | 50                                                                                              | .....                                            | .....                                           | .....                                             | 100                                                                                                        | .....                                                    |
| Colusa.....   | 63                                             | 7                                      | 21                                             | 2 $\frac{1}{2}$                        | .....                                   | 8                          | 22 $\frac{1}{2}$                                                                                | .....                                            | $\frac{1}{4}$                                   | 25                                                | .....                                                                                                      | .....                                                    |
| Del Norte...  | 6                                              | .....                                  | $\frac{1}{2}$                                  | 3 $\frac{1}{2}$                        | .....                                   | $\frac{1}{2}$              | 3 $\frac{1}{2}$                                                                                 | 2                                                | .....                                           | .....                                             | .....                                                                                                      | .....                                                    |
| Merced.....   | 53                                             | 10                                     | 12                                             | .....                                  | .....                                   | 20                         | 25                                                                                              | 8                                                | .....                                           | .....                                             | .....                                                                                                      | .....                                                    |
| Napa.....     | 1                                              | .....                                  | .....                                          | .....                                  | .....                                   | .....                      | .....                                                                                           | 1                                                | .....                                           | .....                                             | .....                                                                                                      | .....                                                    |
| Placer.....   | 8                                              | 5                                      | .....                                          | 3                                      | 2                                       | 3                          | .....                                                                                           | .....                                            | .....                                           | .....                                             | 24                                                                                                         | .....                                                    |
| Shasta.....   | 12                                             | 5                                      | 5                                              | 1                                      | 3                                       | 2                          | 10                                                                                              | 1                                                | .....                                           | 1                                                 | .....                                                                                                      | .....                                                    |
| Siskiyou..... | 25                                             | 5                                      | .....                                          | 4                                      | .....                                   | 1                          | 15                                                                                              | .....                                            | .....                                           | .....                                             | .....                                                                                                      | .....                                                    |
| Stanislaus... | 33                                             | 6                                      | 19                                             | 4                                      | .....                                   | .....                      | 2                                                                                               | 6                                                | .....                                           | 4                                                 | 4                                                                                                          | .....                                                    |
| Yolo.....     | 11                                             | 4 $\frac{1}{4}$                        | 5 $\frac{3}{4}$                                | 2                                      | .....                                   | 10                         | 30                                                                                              | 3                                                | $\frac{1}{4}$                                   | 12                                                | 75                                                                                                         | .....                                                    |
| Totals.....   | 279                                            | 42 $\frac{1}{4}$                       | 78 $\frac{1}{2}$                               | 21                                     | 5                                       | 75 $\frac{1}{2}$           | 159 $\frac{1}{2}$                                                                               | 24                                               | 1 $\frac{1}{2}$                                 | 60                                                | 203                                                                                                        | 1                                                        |

NOTE.—The following Counties report that no Surveys have been made: Amador, Contra Costa, Mariposa, Nevada, Plumas, San Bernardino, San Mateo, Santa Clara, Sierra, Solano, Sonoma, and Trinity—12 Counties.

No reports have been received from the following Counties: El Dorado, Humboldt, Los Angeles, Marin, Monterey, Sacramento, San Diego, San Joaquin, San Luis Obispo, Santa Barbara, Santa Cruz, Sutter, Tehama, Tulare, Tuolumne, and Yuba—16 Counties.

## [D]

*Number of Months during which Schools were kept open in the Year 1858.*

| COUNTIES.            | Three Months..... | Over 3, and less than 6 Months.. | Over six, and less than 9 Months... | Over 9 Months.... |
|----------------------|-------------------|----------------------------------|-------------------------------------|-------------------|
| Alameda.....         | 1                 | 4                                | 7                                   | 4                 |
| Amador.....          | 3                 | 3                                | 2                                   | 4                 |
| Butte.....           | 3                 | 8                                | 2                                   | .....             |
| Calaveras.....       | 6                 | 4                                | 3                                   | 1                 |
| Colusa.....          | 2                 | 6                                | .....                               | .....             |
| Contra Costa.....    | 6                 | 5                                | 2                                   | .....             |
| Del Norte.....       | .....             | 1                                | .....                               | .....             |
| El Dorado.....       | 12                | 6                                | 4                                   | 2                 |
| Humboldt .....       | .....             | 3                                | 1                                   | .....             |
| Los Angeles.....     | 1                 | 1                                | .....                               | 4                 |
| Marin.....           | .....             | 1                                | .....                               | .....             |
| Mariposa.....        | .....             | 3                                | 2                                   | .....             |
| Merced.....          | 3                 | 2                                | .....                               | .....             |
| Monterey.....        | 1                 | 2                                | .....                               | 2                 |
| Napa.....            | 2                 | 10                               | 1                                   | 1                 |
| Nevada.....          | .....             | 6                                | .....                               | 4                 |
| Placer.....          | 6                 | 8                                | .....                               | 2                 |
| Plumas.....          | 1                 | 2                                | .....                               | .....             |
| Sacramento.....      | 5                 | 15                               | 5                                   | 12                |
| San Bernardino.....  | 4                 | 3                                | 1                                   | .....             |
| San Diego.....       | .....             | .....                            | 1                                   | .....             |
| San Francisco.....   | .....             | .....                            | 26                                  | .....             |
| San Joaquin.....     | 4                 | 9                                | 6                                   | 7                 |
| San Luis Obispo..... | .....             | .....                            | 1                                   | .....             |
| San Mateo .....      | 1                 | 1                                | 1                                   | 2                 |
| Santa Barbara.....   | 2                 | .....                            | .....                               | .....             |
| Santa Clara.....     | 1                 | 10                               | 5                                   | 3                 |
| Santa Cruz.....      | .....             | .....                            | 2                                   | 2                 |
| Shasta.....          | 7                 | 2                                | 1                                   | .....             |
| Sierra.....          | 1                 | 3                                | 2                                   | .....             |
| Siskiyou.....        | 1                 | 6                                | .....                               | .....             |
| Solano.....          | 3                 | 1                                | 2                                   | 4                 |
| Sonoma.....          | 5                 | 21                               | 13                                  | 3                 |
| Stanislaus.....      | 1                 | 2                                | .....                               | .....             |
| Sutter.....          | 1                 | 2                                | 4                                   | .....             |
| Tehama.....          | .....             | 2                                | .....                               | .....             |
| Trinity.....         | .....             | .....                            | .....                               | 1                 |
| Tulare.....          | .....             | 1                                | .....                               | .....             |
| Tuolumne.....        | 3                 | 4                                | 1                                   | 1                 |
| Yolo .....           | 3                 | 5                                | 1                                   | 1                 |
| Yuba.....            | 4                 | 4                                | 6                                   | .....             |
| Totals.....          | 93                | 166                              | 102                                 | 60                |



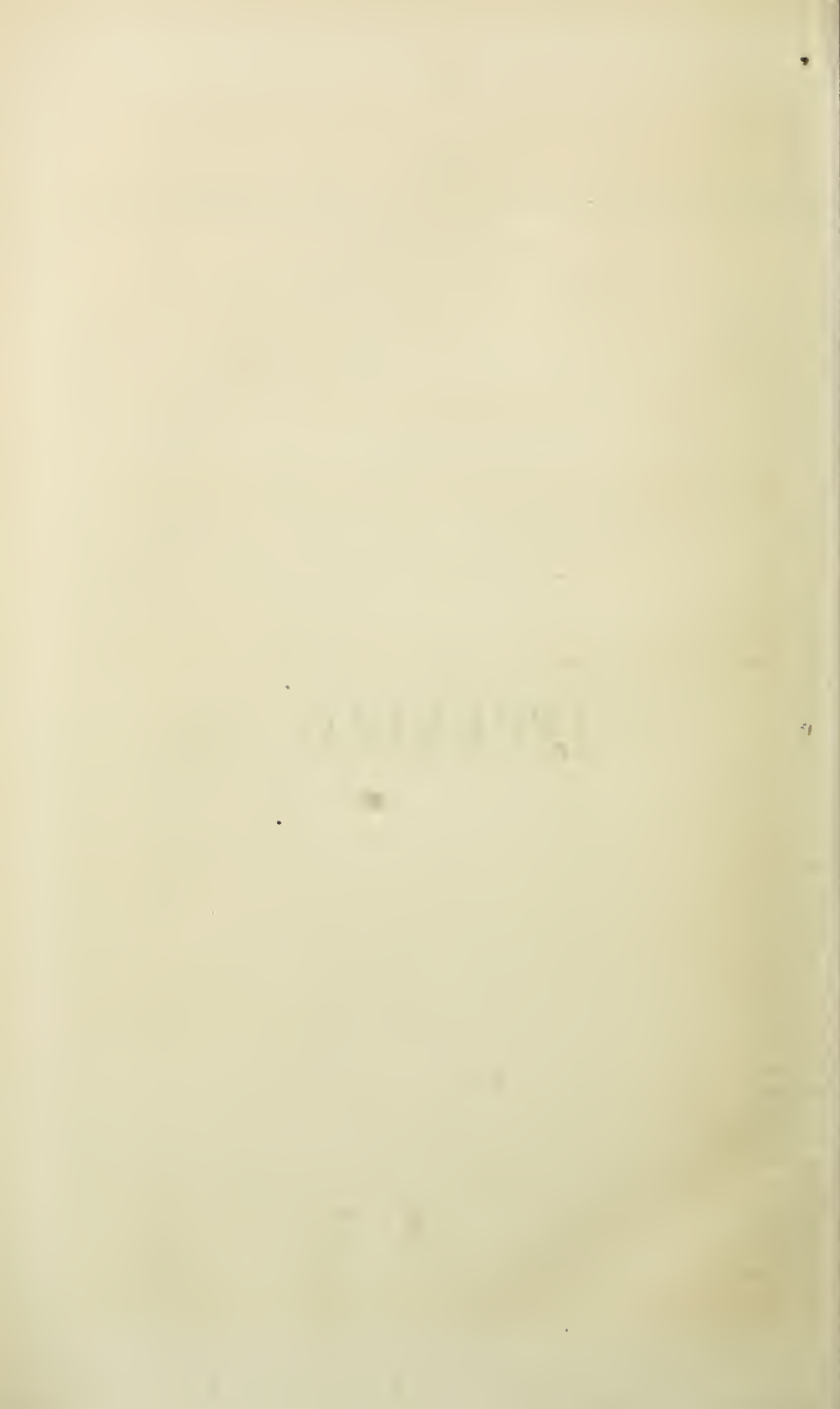
## [E]

## TOTAL AMOUNT OF STATE SCHOOL MONEYS APPORTIONED

*During the Year 1858.*

|                     |             |
|---------------------|-------------|
| Alameda.....        | \$1,594 77  |
| Amador.....         | 1,567 74    |
| Butte.....          | 926 97      |
| Calaveras.....      | 963 54      |
| Colusa .....        | 376 83      |
| Contra Costa .....  | 968 31      |
| Del Norte .....     | 124 02      |
| El Dorado.....      | 2,881 08    |
| Humboldt.....       | 327 54      |
| Los Angeles.....    | 2,710 95    |
| Mariposa.....       | 477 00      |
| Merced.....         | 182 85      |
| Monterey.....       | 1,224 33    |
| Napa .....          | 1,448 49    |
| Nevada.....         | 1,671 09    |
| Placer.....         | 1,357 86    |
| Plumas.....         | 154 23      |
| Sacramento.....     | 3,975 00    |
| San Bernardino..... | 1,575 69    |
| San Diego.....      | 219 42      |
| San Francisco.....  | 8,061 30    |
| San Joaquin.....    | 2,113 11    |
| San Mateo.....      | 594 66      |
| Santa Barbara.....  | 1,429 41    |
| Santa Clara.....    | 3,127 53    |
| Santa Cruz.....     | 1,074 84    |
| Shasta.....         | 448 38      |
| Sierra.....         | 383 19      |
| Siskiyou .....      | 473 82      |
| Solano .....        | 1,613 85    |
| Sonoma.....         | 3,553 65    |
| Stanislaus .....    | 146 28      |
| Sutter.....         | 438 84      |
| Tehama.....         | 208 29      |
| Trinity.....        | 187 62      |
| Tulare.....         | 255 99      |
| Tuolumne .....      | 2,001 81    |
| Yolo .....          | 907 89      |
| Yuba .....          | 1,656 78    |
| Totals.....         | \$53,404 95 |

# APPENDIX.



# ABSTRACTS

## OF COUNTY SUPERINTENDENTS' REPORTS.

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[From the Reports of County Superintendents, the following selections have been ordered printed by the Legislature.]

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### ALAMEDA COUNTY.

W. W. BRIER .....SUPERINTENDENT.

*Attendance at School.*—Only one in three of the children, between four and eighteen, are in regular attendance at the Public Schools. One reason is: a scattered population, and the fact that many of the children are under six years of age. Another reason is, that a large number are the children of those who speak the Spanish language, and they do not understand our institutions.

*Examinations—Exhibitions—Visits by Parents, etc.*—A May-day picnic of all the Schools in the County in which the Schools exhibited various exercises, awakened a good deal of interest. Some two thousand people attended.

The Schools are required to hold an impartial examination at the close of each term, to which the parents are invited.

During the past year, there has been a very great increase in the interest felt in the Public Schools of this County.

*Increasing the Duration of School-Term.*—In this County, we intend to petition the Legislature to permit the County Board to levy thirty cents on the hundred dollars' worth of taxable property, for the support of Schools. I do not see why the sum should be limited to the pitiful present maximum of ten cents.

*Remarks on the Finances of the Schools.*—Rate-bills are made out, and I do not see why they should not be collected, as any other debt. If the law is such that they can not, it should be changed.

*How Trustees perform their Duties.*—The Trustees of this County have done well the past year. Last year, I traveled over the County, and in some instances made the Reports, and induced them to sign them. This year, all have been sent in promptly—only one has resigned, and he on account of removing. They receive no compensation. We have organized a College of Trustees and Teachers, which is to meet twice each year. By this means, a man is led to feel that he occupies a place before the community. All men love honors.

*Improvements Needed.*—In relation to the law, I think it is of vital importance to require each Teacher to hold a certificate from the County Superintendent. This will enable him to keep out unworthy Teachers. It will also induce the people to choose men for this office who are qualified to fill it. The Trustees are not the proper judges of those qualifications which a modern Teacher should possess. They are generally men who have been educated under the old style. Nearly all the Teachers whom I examine are those who are sent to me. It would make a revolution in nearly one-half of our Schools at once to have this law passed. My hands are tied. We could obtain good Teachers (first class) for all our Schools; but in nearly every community, some one has a favorite who must be accommodated. California is well supplied with Teachers, but the people do not distinguish the good from the bad until they try them, and hence the process of trying is constantly carried on; in many cases, the unprincipled, who labor to be popular, are retained, instead of those who are conscientious.

*General Remarks upon Education.*—I think that the law should require, under a penalty, every parent, or guardian, to send each child, or ward, to School at least six months in the year, who is between the ages of seven and twelve years.

Property-holders are willing to pay for the education of the rising generation, for it is to their interest; but they are not willing to pay money when the children are growing up in ignorance.

The Government has a right to educate the rising generation. I am opposed to a Military School, as a State University. A military education is very apt to turn the mind away from patient labor. War will soon be looked upon as a relic of barbarism. Manly exercise can be taken in that way in any School. Above all am I opposed to the measure of taking any of the Common School Fund for this object. I am pleased with your administration, except this measure, which I do not like. Your Commentaries have done good. Publishing the names of the Trustees has stimulated them to action.

Excuse the imperfections of this document—I have done as well as circumstances would permit.

W. W. BRIER,  
Superintendent of Public Schools of Alameda County.

## AMADOR COUNTY.

H. HOLCOMBE RHEES.....SUPERINTENDENT.

*How Trustees perform their Duties.*—Judging from the Teachers' Reports, I should suppose the Trustees were generally remiss in complying with the law concerning visits. It is to be presumed, however, that the Teach-



ers do not remember all the visits made, not thinking, perhaps to make a note of each.

I have thought sometimes that the only way to make men do anything in this State, was to pay them. None of our District Trustees are paid, as I can learn, and many of them can not afford to spend the time to visit as they should, without remuneration. Perhaps, if our Supervisors were to fix a per diem for them, they might be induced to suspend other business to attend to this.

*Improvements Needed.*—One great deficiency in all the Schools is want of uniformity in the text-books. One Scholar will have one kind of Arithmetic, or Grammar, or Reader, and another some different kind, rendering it impossible for the Teacher to classify them. Another is the frequent change of Teachers; each has, in some respects, his own method of imparting instruction, and, by frequent changes, the Pupils are constantly kept back, from the fact that they are not used to the Teacher's manner of teaching, and he does not know his Pupils. A mutual acquaintance aids both, and the Pupil makes greater advancement, while the Instructor can impart knowledge with more ease, being able to adapt himself to his Scholar. I look upon the law as defective, in requiring a Teacher to undergo examination every year. It seems to me, that there is neither reason or propriety in such a course. As a general thing, the Trustees are incompetent to examine a man applying for the position, and a really competent Teacher does not care to be bored by an examination every twelve months. He certainly loses none of his ability during the year. Why, then, examine him again? I think it would be better to leave it to the judgment of the Trustees. A Teacher fully qualified for his work, once employed and commissioned, should be retained so long as he is willing to remain. In this way I think the efficiency of the Schools might be greatly increased. The Trustees should also have power to fix, (in conjunction with the Teacher,) the class-books to be used.

*General Remarks.*—I have said that the education of the youth was a matter of public concern, and such being the case, the public ought to interest themselves in the District Schools to a much greater extent than they do. The Prussian system is unrivaled, as it makes provision for the education of every child, and compels the parents to send their children to School. True, in a Free Government like ours it is impracticable to force people to do right, when they are determined to do wrong and perpetuate ignorance. That fallacious couplet, "Where ignorance is bliss, 'tis folly to be wise," is quoted frequently in a very different sense from that in which it was first penned. But I am not certain, that, under the operation of the universal law, "The public health is the supreme law," it might not be competent for our Legislature to make such enactments as would compel parents and guardians to send their children to School. The State has a very deep interest in the education of the youth, and, to my mind, it is of far more importance than any other one thing to which we, as a people, can turn our attention. My plan to arrive at the result, is, simply to clothe the Trustees with power to employ a Teacher for a specified time, not less than one year; to agree with him at such a rate per month, and then assess each person in the District, liable to poll-tax, such an amount as will, with the State and County funds, defray the expense of the School for a year. This may seem an impracticable scheme, but I am by no means sure that it is. There are men who will refuse to pay the special tax, even after the majority have voted to impose it. Those who are educated, are the proper persons to elect as

Trustees; but it is seldom if ever done, and from the false impression that any one will do as School Trustee if he is only interested in the cause of Education, and has three or four children. I think County Conventions are adapted to do good, but my predecessor, from some cause, failed in his effort to hold one. I shall try again, but shall know pretty certainly first whether the Teachers will respond.

Having entered on the duties of the office since the general election in September, and having no experience from actual service as Teacher, I judge only from what I have seen and felt, and from the interest I feel in the instruction of our youth.

H. HOLCOMBE RHEES,  
Superintendent of Public Schools of Amador County.

## BUTTE COUNTY.

H. A. GASTON.....SUPERINTENDENT.

OROVILLE, December 1, 1859.

*Hon. Andrew J. Moulder, Superintendent of Public Instruction :*

RESPECTED SIR:—On examining the various subjects upon which you require information, in the blank Appendix furnished by you to be filled by the different County Superintendents of Common Schools, I find that the information I should be able to give would be too meagre to be scattered over so great a space, and therefore hope you will accept such little matter as I am able to furnish in a less pretending form. I will follow the subjects, as laid down by you in the Appendix, so far as I have been able to gain any reliable information respecting them. And first, let me state that the following sixteenth and thirty-sixth sections are represented to me as having been surveyed, except where blanks appear:

| Sections.                                            | Township. | Spur of Buttes. |
|------------------------------------------------------|-----------|-----------------|
| The Sixteenth and Thirty-sixth Sections.....         | 17 N.     | R. 1 East.      |
| The Sixteenth and Thirty-sixth Sections.....         | 18 "      | " 1 "           |
| The Sixteenth and Thirty-sixth Sections.....         | 19 "      | " 1 "           |
| The Sixteenth ————— Section.....                     | 20 "      | " 1 "           |
| The Sixteenth and Thirty-sixth Sections.....         | 17 "      | " 2 "           |
| The Sixteenth and Thirty-sixth Sections.....         | 18 "      | " 2 "           |
| The Sixteenth and Thirty-sixth Sections.....         | 19 "      | " 2 "           |
| The Sixteenth and Thirty-sixth Sections.....         | 20 "      | " 2 "           |
| The Sixteenth ————— Section.....                     | 17 "      | " 3 "           |
| The ————— Thirty-sixth Section.....                  | 18 "      | " 3 "           |
| The Sixteenth and Thirty-sixth (doubtful) Sections.. | 19 "      | " 3 "           |
| The Sixteenth and Thirty-sixth Sections.....         | 20 "      | " 3 "           |
| The Sixteenth ————— Section.....                     | 17 "      | " 4 "           |
| The Sixteenth and Thirty-sixth Sections.....         | 18 "      | " 4 "           |

Making, in all, twenty-two sections, represented to me as having been surveyed—several covered by Mexican grants.

Of these, most are of a red, gravelly soil; and those situated at considerable distances from streams of living water are fit for pasturage only,

and that but for six or eight months of the year, unless resort is had to irrigation. Many of the sections are in the vicinity of Feather River, the Sacramento, Butte Creeks, and other streams, and those are shown, by lands cultivated in their immediate neighborhood, to be well adapted to tillage, and of great natural fertility of soil. The surface of all those sections surveyed would be considered undulating, and most, if not all, may be properly represented as convenient to market, either by way of the Sacramento River on the west, or by way of Oroville and Marysville on the South, and on the east the never-failing market of the mountains which lie along their eastern boundaries, and are ever in the view of each section. There can be no doubt that, by irrigation, nearly all of these sections may be made highly productive, and useful for agricultural purposes.

The value of these sections is greatly depreciated by the many Mexican grants, the validity and locality of which are yet undetermined, and which are expected to be located in this county.

The probable average estimate of the value of those lands per acre is one dollar. The only present favorable prospects of the immediate enhancement of the value of these lands, are the expected increase of immigration from the older States and Europe, consequent upon the Fraser River explosion, and a proposed continuation of the rail-road from Sacramento to Oroville—an object earnestly desired by the people of Butte County, and which will probably be effected within a few years.

These sections can be termed prairie lands only. Those bordering on the waters already alluded to contain some timber fit for fire-wood, but hardly for building purposes or good fencing. All, however, are convenient to the mountains, where materials for those purposes are in unlimited abundance, and which can be obtained at reasonable prices.

From the sources within my reach, it has been impossible for me to learn whether or not any of the sections have been settled, either before or since the survey, from the fact that the former County Surveyor has been absent from the County some six months, and the Surveyor elected in September last, I have been unable to see. Nor is it possible for me to tell, from my present means of information, what sections are covered by Mexican grants. The greater proportion of the School lands of Butte County are worthless, by reason of falling in the mountain districts, there being probably more than two-thirds of those lands on the mountains, and useless from their great declivity, or used for mining purposes only.

The School-houses in the various Districts of this County are constructed of wood. None of them are of a character which would entitle them to the term elegant, though many of them are convenient, and well adapted to the object for which they were intended. The School-house in Oroville reminds one of those ancient Common School-houses seen in the interior of the New England States, far away from any village, and surrounded by such enterprise only as saves dollars and cents, by keeping them safe in their pockets.

Wyandotte can boast of a very neat School-house, well situated, neatly painted, ventilated properly, desks well and comfortably arranged, black-board and maps, and all those conveniences necessary to aid a Teacher in imparting instruction, and to make a School-room inviting to Students.

The people at Forbestown are now considering upon the propriety of erecting a fine edifice for Schools, or rather a School, for the accommodation not only of the children of that District, but for those who may de-



sire to send their children from the valleys, during the heat of summer, to a quiet mountain retreat, and, at the same time, have them in School.

Although Chico District has not yet properly organized under the Common School Law, the people of that District are fully awake upon the subject, and are now erecting a School-house which, when completed according to their proposed plan, will be an ornament as well as honor to their District. Through the munificence of Major John Bidwell, who has generously donated to the District fifteen hundred acres of land for the support of Schools within the District, Chico will have a great advantage over the other School-Districts of the County, and present appearances indicate that, within the present School year, Chico will have one among the best of the Schools of Butte County.

It is not in the power of the County Superintendent to give the condition of the School-houses of the several districts in the County. All, I am informed, have made provisions, by which a School-room is provided, insuring comfort to the Scholars against severe cold and wet weather, though a few are but illy adapted to school purposes. Most, however, have School-houses belonging to the Districts. I know of but one (Lynchburg,) which rents.

Much of the information required in the Appendix, is already given, in a condensed form, in the County Superintendent's report, already submitted. The age of the Teachers, and their intentions, as to making teaching their permanent business, are matters of which I am totally ignorant, and I see no way better calculated to obtain the information required, both of Teachers and Trustees, than to require of them a report of the condition, and quality of the School lands in their districts, the nature and condition of their School-houses, the ages and intentions of Teachers, and such other matters of interest connected with the subject of Common Schools, as the State Superintendent shall deem of importance.

It is my impression that, in this County, generally, the Trustees of the School-Districts are very remiss in the examination of Teachers, and you will pardon my again alluding to that subject, mentioned in a former letter to you, and in which I am pleased to find I am sustained by your opinion.

A change is certainly demanded, by the interests of our Schools, in the Common School Law, respecting the examination of Teachers. It is greatly to be feared that, unless a Board of Examiners (or, call them by what name may seem fit,) is established in each County, who will thoroughly examine those proposing to become Teachers, and requiring a certificate of ample qualification, as a necessity, before drawing public moneys, by any Teachers, we shall be overrun, and the schools injured and debased by pretenders, hangers-on at saloons, free-lunch eaters, wrecks and imitations of humanity, too good-looking to beg, too lazy to work, and without sufficient shrewdness to steal. I have no patience with a pretender and a man who offers himself, and induces others to employ him as a teacher and guide of children and youth, without possessing the necessary intellectual and moral qualifications for that purpose, is an impostor of the blackest dye.

I am not aware of any thing further that I can communicate, in connection with the subject of Common Schools in this County, that would be of interest to you, and close this disconnected report, by tendering assurances of the highest consideration and respect, of

Yours, respectfully,

H. A. GASTON,  
Superintendent of Common Schools, Butte County.

## CALAVERAS COUNTY.

ROBERT THOMPSON.....SUPERINTENDENT.

*Attendance at School.*—The great extent of many of our Districts, is the great cause why more do not attend School. Some of our Districts are from ten to fifteen miles in extent. A want of money, added to a want of interest on the part of parents, keep many at home yet, still this is growing better. Stirring Teachers, who would see the parents often, and impress upon them the value of Education, would do much.

*Remarks on the Finances of the Schools.*—Our Schools are supported almost entirely by rate-bills aside from the public funds. To get a large number of scholars would reduce the rate-bills, so that some would send, while now, at the present rates, they keep them at home.

What we want, are FREE Schools. A property-tax, large enough to keep the Schools up as long, at least, as they are now kept, and then private tuition could continue them when desirable.

*How Trustees perform their Duties.*—They are beginning tolerably well. They do not visit the Schools, as required by law, but their other duties they generally see to.

The mode I have heretofore adopted is to tell every man and woman I see from the District where Trustees are negligent, of their negligence, and they get to hear of it too often for their own convenience, and generally see to the School business perhaps as much to get rid of trouble as anything. There have been but few instances of gross neglect.

*Improvements Needed.*—There are many improvements needed in our Schools, but, generally speaking, we must content ourselves to make them gradually, as the County becomes more densely populated. A large portion of the Scholars in every District are too far from School to attend. Hence, the Scholars attending are few, the rate-bills high, and most are too poor to board their children to attend School. Most of our difficulties at present are the product of a new country, and must be remedied by time.

*General Remarks upon Education.*—The first thing we want as a State, in my opinion, is a Normal School. The influence of such an institution would have a wonderful effect in elevating the standard of Teachers, and thereby the usefulness of our Schools. In many instances now, the money expended in the support of Schools, is little better than lost. There seems to be no standard by which Trustees judge the qualification of Teachers. Our State would not feel the cost, and we think if once in operation it would succeed well with us—as well, in a few years, as at the East.

The next thing is to make the Schools *Free* to the children. Dollars are always able, if not willing, to pay their tax. It is not always so of individuals. It is the only certain way to educate the masses. The rich do not feel the tax half as much as would an ignorant community. In fact, our Government is of such a kind that it stands on the mental and moral education of the people. In this is its only safety. On this it can stand with safety; but neglect it, and our Government will soon be numbered among the things that were.

Our County-tax for Schools is about twenty-four hundred dollars, while that for the poor is over four thousand. It is seldom that we find an educated man in the poor-house. If Mr. Dollar pays two cents for the poor, and one for Schools, he pays three in all. Now, reverse this, and



pay two for Schools and one for the poor, and it does not increase his taxes. As a matter of economy in money matters, we think it for the interest of any State to educate *all* the rising generation at the public expense. It is the only certain way of educating the great mass. Let the State provide Schools, and fine parents if they do not send their children, unless they can render a reasonable excuse. In this way, we shall have a State, in the course of time, that will rank as high as any State or nation—one that can profit by her geographical position.

The State Superintendent's salary should be so far increased as to enable him to travel the State, or, at any rate, the more densely populated Counties, and arouse the people to action, by lectures and the various means he could thereby use. A few thousands spent in this way would do much for our Common Schools.

Allow me to congratulate you on your success as Superintendent. We all have a good example in you to follow, and I trust we may follow it better than formerly. Hoping that our State may for many long years have you at the head of her School Department,

I remain, very truly yours.

ROBERT THOMPSON,  
Superintendent of Public Schools of Calaveras County.

## PLACER COUNTY.

PERCIVAL C. MILLETTE.....SUPERINTENDENT.

*Hon. Andrew J. Moulder, Superintendent of Public Instruction :*

SIR:—I have the honor to submit, in compliance with instructions received from your Department, my Annual Report of the condition of the Common Schools in this County for the School Year, ending October 31st, A. D. 1858, presenting therewith such statements, recommendations, and suggestions as I deem of importance to the welfare and prosperity of the Common Schools in this County.

As there are no data to report on the condition of the Schools, for the School year ending October, 1856, I will merely state, from personal knowledge, that the number of Schools then in the County, was only eight; the number of Teachers, seven. Subsequent to that period, the funds accrued have been apportioned and disbursed as follows:

*For the Year ending October 31, 1857.*—To fourteen Schools, thirteen Teachers, six hundred and twenty-eight children, reported by census, three thousand one hundred and eighty-seven dollars and seventy-four cents. The average number of months the Schools were in session being five per annum; which would average to each Teacher two hundred and forty-five dollars and twenty-one cents. Average per month to Teacher, forty-nine dollars and one cent.

*October 31, 1858.*—To fifteen Schools, fourteen Teachers, eight hundred and fifty-four children, three thousand two hundred and fifty-nine dollars and sixty-seven cents. Average number of months that the Schools were in session being five and a half per annum; which, to each Teacher, would average two hundred and thirty-two dollars and eighty-three cents. Average per month to Teacher, forty-two dollars and thirty-three cents.

The number of children reported by census for the ensuing School year, (exclusive of Illinoistown, which has made no return,) is as follows between the ages of four and eighteen years, nine hundred and sixty;

under four years, six hundred and nine; total number under eighteen years, one thousand five hundred and sixty-nine; born in California, seven hundred and twenty-three. Another School has been admitted during the past year at Forest Hill, but has received no apportionment of the public money up to this period, so that there are now sixteen Public Schools in this County, and two more will probably be added during the next School year. It may be seen by this exhibit that the number of children between the ages of four and eighteen years has increased in two years from six hundred and twenty-eight to nine hundred and sixty; being fifty-three per cent. And the number of Teachers from seven to sixteen, which is more than two-fold. The amount raised by subscription and otherwise in the County, and paid Teachers during the past School year, is two thousand eight hundred and two dollars and fourteen cents, which being added to the public money, makes six thousand sixty-one dollars and eighty-one cents. Total average to each Teacher, four hundred and four dollars and twelve cents; total average per month to Teacher, seventy-three dollars and forty-eight cents.

The sources from which the public money for School purposes is derived are as follows:

First—the State apportionment; second, seven cents on each one hundred dollars of valuation in the County.

The last-named, trifling as it is, may or may not be levied by the Supervisors. Third, seventy-five per cent. of one additional dollar charged on poll-tax, which may be paid or collected after the first of August; should it so happen that all the said poll-tax be collected and paid previous to the said day of August, not one dollar would accrue to the School Fund from that source.

Fourth and last—the so-called School Tax of 1858, intended for rural Districts. If three-tenths of the electors of this County, having families, could possibly succeed in passing it into a law, despite the seven-tenths having no families, and consequently no interest in schools, nevertheless (after deducting therefrom the expenses of advertising, of an election, Assessor's and Collector's fees,) the amount realized would be comparatively small, and ultimately would be a bill of expense, and onerous to the people. On the whole, it is well calculated to bring the Schools into disfavor, and prejudice the cause of Education. I therefore recommend that the latter, as well as the former-named sources, (except the first,) be totally, absolutely, and immediately repealed. In lieu thereof, I would most respectfully suggest that a tax of three-tenths of one per cent. be imposed on all the real and personal property in the County, according to the assessed valuation thereof, for School purposes; and that said tax be incorporated, embodied, and constitute a part of the general County tax; and that the one-tenth of said School-tax shall be exclusively appropriated towards the purchase of a library; and that the State Superintendent be the authorized agent to purchase said library, and apportion them among the several School-Districts, according to the number of children, reported by census, between the ages of four and eighteen years; and that said School-Districts shall raise, by subscription or otherwise, a sum of money equal to one-half the actual cost of their apportionment of said library; and that the same be deposited with the County Treasurer to their credit, respectively, for the purposes above specified. And it is further recommended, that no School-District shall hereafter receive any part or apportionment of the public funds for School purposes, unless a School shall be taught and maintained in said District or Districts, for and during the term of at least six months, previous to the thirty-first of

October, annually. It is about time to do away with the three-months system; there was a time in the history of California when it was a virtue—to continue it any longer would be incalculable evil. I am well satisfied that the new system recommended will not only be popular with men of every creed and denomination, but will also impart vigor, tone, and vitality to the Common School system. The children never could be prepared for the great battle of life by the three-months system. The new system will support comfortably all the Common Schools in the County for and during the term of six months per annum; it will engender thought and knowledge, animate virtue and good resolutions, soothe and allay the passions, and give employment to all the vacant hours of life. It will lessen fifty per cent. of all those crimes and troubles with which this country, in common with many others, is afflicted. It will enhance the value of all species of property, by encouraging emigration to our shores, and prove to be a great national blessing, not only to the rising generation, but to posterity. Speaking from a personal examination of the most favored institutions, not only in Europe but in the United States, I must confess, that, for capacity and facility to learn, and a comprehensive range of thought, the American children of California may be equaled, but can not be surpassed in the known world. Shall talent like this be permitted to languish and die?

I wish to say a few words in relation to the duties of School Marshals in this County. The compensation allowed them heretofore for taking the census of each School-District, be the same large or small, was ten dollars, in County scrip. There seems to be some dissatisfaction on both sides; I would therefore recommend, that it be made the duty of all male Teachers hereafter to take the census of the children in their respective Districts, and that their compensation for so doing be fixed by the School Trustees, and the same be paid by a rate-bill made out against those sending to School, according to section thirty-first of the old School Law. This mode will, I believe, be satisfactory, and afford great relief to the County.

Your communication to this Department, in reference to the per centage of County Treasurers on School Funds, has been laid before the Board of Supervisors of this County, but that body rejected it, and would not act upon it.

PERCIVAL C. MILLETTE,  
Superintendent of Public Schools of Placer County.

## SAN FRANCISCO COUNTY.

HENRY B. JANES ..... SUPERINTENDENT.

*How Trustees perform their Duties.*—The affairs of the Department are confided to a good Board of Education. All can not spare much time from their business; some make great sacrifices for the affairs of the Schools.

*Improvements Needed.*—A Teachers' Institute, at least, where the expense of travel shall be borne by the State, and proper lectures and instructions be secured.

The Mechanic and the Farmer have the advantage of associated knowledge, at their annual fairs—why should not Teachers?

Why might not the School and Fiscal year correspond?



I would ask the Superintendent's consideration of the suggestions in my Annual Report to the Board of Education, pp. 15, 16, and 20 to 25.

HENRY B. JANES,

Superintendent of Public Schools of San Francisco County.

## SHASTA COUNTY.

GROVE K. GODFREY.....SUPERINTENDENT.

*Teachers.*—Our Teachers vary in age from seventeen to thirty years, and I regret to say that we have but two who design making this a profession. Heretofore Trustees have employed applicants for School without passing a strict examination; in fact, nearly all the Trustees in the County were not capable of examining Teachers thoroughly, consequently they taught School without a certificate of examination and the Scholars were not as wise at the end of the term as when they commenced. This evil should be remedied, and all required to stand a strict examination.

*Capacity of Teachers.*—We have only two Teachers who can rank as first class, and seven as second class; and one who should attend School three years before he should think of teaching. No person should be allowed to teach School without a thorough education, and who designs to make teaching a permanent profession.

*Experience in Teaching—How many years.*—With but one or two exceptions, those now engaged in teaching have pursued the business from two to twelve years; but they do this when they have nothing else to engage their attention. Several Teachers in this County have taught School because they were too lazy to earn their living at some other honorable occupation.

Teaching School is a high and honorable calling, and, as a general rule, none receive so few thanks or less gratitude for valuable services rendered. No employment is more useful and ennobling, and encouragement should be given to those who design to pursue this business to the exclusion of all others.

*Finances of the Schools.*—All the Districts, except Shasta, have used the money to their credit in addition to the amount raised by subscription.

Our Districts are out of debt except Districts Nos. five and six, which owe about one hundred and fifty dollars for each house.

I have received your circular of June 19th, instructing me that "Whenever the fund belonging to a district is exhausted, inform the Trustees and Teachers of the fact and draw no more Warrants in their favor." Thus far I have complied with your request and no Warrants have been issued against any District, unless there was an amount to its credit, sufficient to cover the same. I shall continue to enforce this rule under all circumstances, till forbidden by higher authority, believing that justice demands that the several Districts must support the Schools from the revenue of the current year, and if this can not be done they should suspend. Better make each year provide for itself, then exhaust the resources of years to come for present necessities. Hereafter, Schools will have to be supported in the same way until the lands are sold and the proceeds applied to the support of the Public Schools; or else, in order to increase the duration of School terms I would suggest, and am strongly in favor of, a twenty-cent tax. But this can only be done by an Act of the Legislature. I hardly think that any person would object to pay-

ing a tax of one-fourth of one per cent. for School purposes, yet this tax on a million of dollars makes an item worthy of attention.

*How Trustees perform their Duties.*—Trustees have performed their duties very badly all over the County, except in Shasta District. They have not taken that interest in visiting the Schools which the cause demands, in educating the rising generation. I trust they will exhibit a greater interest in School affairs during the present year. There is a wide field open for them to display their energy and talents in promoting the best interests of this noble institution. Our School Law, which regulates the Public Schools of this State, is good and wholesome, and if parents and patrons live up to the requirements of the law and their sense of duty, our Common Schools will prosper.

Our Schools are deficient in one respect. Trustees, as a general thing, do not employ Teachers who are thoroughly qualified to teach even the rudiments.

They are deficient in experience and education.

Trustees should never grant certificates of approbation or recommendation to persons proposing to become School Teachers, until, after a thorough examination, they are found to be persons of good moral character, and of sufficient learning and ability for teaching, having a special regard to their ability to impart knowledge.

*General Remarks upon Education.*—The moral and intellectual development of the people constitutes the vital strength and true glory of a State.

The gradual improvement and extension of our Schools form the only safe and durable basis for a system of popular government, and the increasing concern felt for their maintenance and prosperity is the surest evidence of their real worth, and of the appreciation of our citizens of the efforts annually made to perpetuate them. Believing, as we do, that upon the prosperity or decay of our School system depends the future weal or woe of our State, we have always taken a lively interest in every thing appertaining to this noble institution. According to the School Marshals' census returns for the year ending October 1st, 1857, there were five School-Districts in the county, containing three hundred and seventy-six children, between four and eighteen years, and where Schools were maintained, two hundred and eighty-eight children. Of these, one hundred and seventy-nine were boys, and one hundred and ninety-seven were girls—eighteen more girls than boys; and fifteen orphans in the county.

Upon an inspection of the statistical part of this year's report it will be seen, by the census of this County, recently taken, that there are ten School-Districts, and the whole number of white children between four and eighteen years of age, entitled to a Common School education, is four hundred and forty-eight. Of the entire census two hundred and sixteen are boys, and two hundred and thirty-two are girls. In the County there are sixteen more girls than boys, fifteen orphans, and one deaf and dumb.

Shasta County contains seven Townships, which are divided into ten School-Districts, where Public Schools have been maintained, showing the creation of five new School-Districts, and an increase of seventy-two children in the County, of which thirty-seven are boys, and thirty-five are girls; and over the number of last year, where Schools have been maintained, there are one hundred and forty-six children.

The number of children under four years of age in the County is two hundred and eighty-four, and three hundred and three children of all ages born in California.

The number of Pupils attending Public Schools in the County is two



hundred and twenty, which would be less than half of the County census. The aggregate number of Pupils throughout the County attending Public Schools in the course of the year, is about one-half of the School census. The average daily attendance is considerably less than this—a little more than one-third of the School census.

Shasta School has an average daily attendance of about fifty children, whilst the country Teachers have only about fifteen on an average. The School in Shasta District is kept in operation all the year, except the regular vacations, and the County Schools average about three months.

It is a source of gratification to know that our Schools are in a prosperous condition; like the State in which they are situated, they are progressive. During the year last past an increasing interest has been manifested in the cause of Education among the people of this County, as is conclusively evidenced by the successful exertions made in the establishment of new School-Districts, and the additional number of pupils in those Districts where Schools have been maintained. The fact is certainly encouraging to those who have labored so long to excite the public interest in behalf of the young, and to induce that concert of action necessary to advance the cause of Education in the several Districts of the County.

Shasta County, considering her age, mining, and agricultural advantages, will compare favorably with any other in this State.

Our location and resources entitle us to a place in the first ranks among our sister Counties; and if we are foremost in building up such local institutions as are necessary to educate, enlarge, and liberalize the minds of the rising generation, we will successfully vindicate our claims to this high position, and discharge our duty and obligation to posterity.

Let Shasta County become as famed for her Schools as she is for the richness of her minerals, the fertility of her soil, and the salubriousness of her climate, and a tide of desirable emigration possessing wealth and moral worth will soon flow in upon us and enhance the value of property, and aid in elevating the tone of society, which we need so much in California. Judging from past experience, how true it is that every School-house erected, and every School in successful operation, aside from the advantages they afford the young, absolutely contribute to the wealth and happiness of the entire community; for a good system of Public Instruction lies at the bottom of the permanent prosperity of all communities.

Our Common Schools should give instruction, not only in the elementary branches, but should be so arranged and graded as to afford, in the higher departments, a thorough English and Classical Education. Pupils would then be qualified to step from our Common Schools directly into our first-class Colleges and Universities. We want no dull, careless, indifferent workmen, as Teachers, in developing minds that are to govern the affairs of our nation. Our Teachers should comprehend perfectly the nature of their work, to impart knowledge; consequently, the very first duty of the Teacher of a Public School is to bring the faculties of the mind into action; that is, to teach pupils *how* to think, rather than *what* to think.

We want Teachers of a high character, and wide range of thought; Teachers that have the ability to lead the minds of their pupils beyond the text-book, out into the world of truth and thought; Teachers who can point to the outspread fields of knowledge, and kindle in the hearts of the young a desire to explore them, and who can purify tastes by inspiring a love for the beautiful, and elevate aspirations by describing

that which is imposing. In order to have good Schools, we must have good buildings and good libraries, as well as good Teachers, and these will cost the time, money, and labor, of parents and patrons.

Without regularity and punctuality of attendance, it can not be expected that Scholars can progress in their studies. No boy or girl will have much regard for that duty or employment which they have been taught can be neglected for the slightest excuse. The per centage of attendance is the measure of character of a Scholar, and of the estimate in which Education is held by the parents.

Loose habits, truancy, profanity, and vulgarity, grow out of neglect of parents in this very matter. The only way parents can give character to their children as Scholars, is to make them feel that School must not be neglected for any excuse, save sickness or absolute necessity.

Why is it that the children of certain parents are almost always tardy, or irregular in their attendance at School, while the children of others are always punctual and regular? Has the tardy scholar more to do at home, before he can start for School, than the punctual scholar? No; for it has been ascertained, by observation, that while the punctual Scholar does more at School than the tardy one, he also does more at home. The faithful and experienced Teacher well knows the truth of these assertions. Sometimes parents think it is the teacher's fault when a Scholar plays the truant and hates his School. When Scholars are unruly, and Schools disorderly, it is not always the Teacher's fault. The cause of mischief may often be traced directly to parents. Indeed, I have no doubt that a large majority of the causes of disobedience and insubordination in Schools are the result of parental thoughtlessness or direct interference. Neighborhood quarrels about employing Teachers, locating School-houses for the convenience of the largest majority of Scholars in the District, and keeping the children from School, (thereby depriving them of the benefits of the Public School Fund,) show a weakness of mind, and ignorance of those noble and exalted principles which parents are in duty bound to teach their children, by holy ties and sacred obligations.

Because parents can not agree on these things, they deprive their children of a Common School Education, and let them grow up in ignorance. How silly such conduct appears to the intelligent. But such, I am sorry to say, has been the case in two or three School Districts. How often, too, do we see some old personal pique carried into School, to injure the Teacher, and which frequently results in breaking up the School. Such things have been done in California.

Parents should never speak against the Teacher in the presence of their children, nor keep their children from School because they do not like him in every respect. A word, or look, or even silence itself, in not reproving the fault-finding, may encourage the refractory to downright rebellion.

It is no uncommon thing for parents to allow their children to leave School, and waste the golden hours of youth, (the most precious of all their whole lives of study,) because they dislike their Teacher. In a majority of cases, the reason is, they are required to learn their lessons, and obey the rules of the School.

It seems to me that such parents, while they imagine they are befriending their children, are not in the least aware that they are inflicting upon them the greatest injury in their power. They are allowing their children to grow up in ignorance, to become the votaries of superstition, the dupes of tricksters, and the victims of oppression. More than

this, in countenancing a violation of School law, they are encouraging the violation of civil law. They may be preparing their children for the prisoner's gloomy cell and themselves for the lashing of a sleepless and troubled conscience. No wonder that many of the Scholars do not like to go to School, and if their parents would visit the School occasionally they might possibly learn why. But, no, they are too busily engaged in making money to give much attention to the immortal mind of their children which God has placed under their supervision. In visiting the different Schools of the County it is truly wonderful to witness the little interest manifested on the part of parents, in the education of their children. It is almost impossible to prevail upon them to visit their Schools. There was only Oak Run District, outside of Shasta, where there were visitors or even Trustees at the School during the last year that I visited. These were all who felt sufficiently interested, or could spare the time to devote a half day in visiting their Public Schools, although there were given special and general invitations. There was a general complaint from Teachers in all parts of the County that parents do not, nor will not as a general thing, visit their Schools; for during the last year I visited every School in the County, and I speak from actual knowledge.

The Teachers are not only encouraged in their arduous duties, by knowing their labors are looked after and appreciated, but the children are stimulated to renewed exertions to be perfect in their studies when they are to pass inspection under the eyes of parents and strangers.

The State does not desire to educate her children that they may become members of what are styled the learned professions, but that they may be intelligent, moral, and useful members of society, and to comprehend the great truths of religion, philosophy, the natural sciences, and all else that can make them better, both for themselves and their fellow-beings. The par level in Education is that point which all can readily attain if not deficient in powers of mind.

The child of poverty in our Public Schools has all the advantages of a superior education that can be attained by children of the rich, and he no longer looks with envy upon Fortune's favorite. The opportunity is afforded, and the means are within his reach, of working his own way to fortune and distinction. This point reached, the State has done her duty and dismisses her pupils to go out into the world choosing their own course thereafter.

In many of our Public Schools a Pupil can obtain a thorough business education; an education competent to make him a teacher, a merchant, a mechanic, or anything else perhaps, but a lawyer, a physician, or a clergyman. Indeed, we are not sure that all the members of these professions have had more than a thorough Common School education.

GROVE K. GODFREY,  
County Superintendent Public Schools.

## SISKIYOU COUNTY.

GEORGE F. PRICE.....SUPERINTENDENT.

*Attendance at School.*—From the reports submitted by Teachers the attendance shows an improvement over last year, not as much however as it ought to be. In the country Districts, the population being scattered over a large extent of territory, prevents as large an attendance as would



be if the families were more concentrated, and the small amount of moneys received by us from State and County funds, prevents the establishing of new districts. It is to be hoped that the disposal of the School lands will materially assist us in overcoming this obstacle. And again, the children are too frequently allowed to judge of a Teacher's capacity, and if they do not like him they stay at home.

*Whether Graded or not.*—There are no grades established in our Schools. All rank as primary. A few Scholars, as may be seen by the reports, are qualified to advance, but the most of our children are only fit for the primary department, and for this reason no attempts have been made to grade our Schools.

*Teachers.*—Our Teachers vary in age from twenty-six to thirty-eight years, and I regret to say that we have but one who designs making this a profession. I have noticed in times gone by that Trustees when about employing a Teacher first asked, "how much do you charge?" The consequence was, that we were overrun with cheap applicants for Schools, and the Scholars were not as wise at the end of a term as when they commenced. This evil has been removed, and all are now required to stand a strict examination. We have now six Teachers who can rank as first-class, and one as second-class. This remark applies to the primary grade. Several of the first class, with a little experience, would be capable of conducting a High School. With but one exception, those now engaged in teaching have pursued the business from two to ten years, but they only do this when they have nothing else to do. I agree with you that encouragement ought to be given to those who design pursuing this business to the exclusion of all others.

*Examinations.*—There has been more interest taken in the examination of Schools during the year that at any time heretofore. Parents have visited more frequently, especially in the country Districts. Little Shasta District, No. 5, deserves an especial notice in this particular, excelling every other District in the County in the number of examinations and visits. Yreka District, No. 1, although the largest in the County, embracing a thriving and populous town, has exhibited less interest in this respect than any other. I am extremely sorry that I am compelled to say this, and it is to be hoped that the parents will exhibit more interest during the present year. An examination at the close of each term is highly beneficial to the School, it pleases the Teacher, excites the Scholars, and, if they evince a knowledge of their studies, and show that they are gaining information, the parent is also pleased, and becomes more interested in the free system. The Teacher feels that his labors are appreciated, while the Scholars, knowing that parents and friends will be present, exert themselves in order to receive praise from all. On the other hand if no person excepting the Trustees visit the School, the Teacher becomes indifferent and the Scholars listless. Both are heartily glad when the term expires, Teachers tired of the school, Scholars tired of Teacher, and parents tired of both; yet had they exhibited just a little interest and visited the School occasionally, how different would have been the result? "Big trees from little acorns grow," and great results are frequently achieved by little exertion.

*Number of Months each School has been kept open.*—As will be seen, by referring to my report, Yreka, Hawkinsville, Shasta Valley, and Little Shasta District-Schools have been kept open six months; Cottonwood District, five months; and Scott Valley, three months. As one of the means of increasing the duration of School terms, I suggest, and am strongly in favor of, a twenty-cent (County) tax. I have met but few

who are opposed to it. But this can only be done by an Act of the Legislature. The additional powers bestowed on Trustees last Winter do not afford any material advantage to the Districts, and so certain are the Trustees of the result, that they will not incur the expense of calling an election. If, instead of this power, the Legislature would authorize a twenty-cent tax, it would be far better. The additional powers conferred may operate better in other Counties, and thus, perhaps, render it unnecessary to advocate an increase of tax. But it appears, not only to myself, but to many others, that if we can afford to spend thousands upon thousands of dollars, annually, for the support of jails and hospitals, we ought to be able to pay more than we do for educational purposes. Perhaps the people become weary of taxes, and, for this reason, oppose any thing tending to increase the same. "A stitch in time saves nine," and it has been proven beyond a doubt that ignorance is very nearly allied to crime. Further comment is unnecessary.

*Finances of the Schools.*—As before stated, Yreka District, No. 1, embraces a large and populous town. Could the city authorities be induced to take charge of the Public Schools, and levy the tax authorized by law, it would be of great value to the community; the District needs two Schools, but, under the existing circumstances, can only support one; and further, being located on mineral lands, can not receive any of the benefits accruing from the Township School lands. I hardly think that any person would object to paying a tax of one-fourth of one per cent. for School purposes; yet, this tax on a million of dollars makes an item worthy of attention.

Our School Fund is not in debt; only two warrants were issued when there was no money in the Treasury, but the circumstances justified me in issuing. All the Districts, excepting South, No. 4, have used all the moneys to their credit, in addition to the amounts raised by subscription. As a rule adopted by this Office, no warrants are issued against any District unless there is an amount to its credit sufficient to cover the same. It may not be law, but I shall continue to enforce it, except under extraordinary circumstances, until forbid by a higher authority; believing that justice to a District demands that each year must provide for itself.

*How Trustees perform their Duties.*—Our Trustees have been very faithful in the discharge of their duties, and have frequently exhibited their interest by corresponding with this office in relation to School business. There is yet plenty of room for them to display their energy and talent by attending to lands, building of houses, securing uniform text-books, etc., etc. The Teachers of South District, No. 4, with great candor, replied to me, by letter, in answer to questions asked them, "We have not done as much as the importance of the cause would justify." "An honest confession is good for the soul," and I hope that every Trustee will think as they have done, and act accordingly.

There is one point, before alluded to, and it may not be inappropriate to refer to it again. I have noticed, in several Districts, that the parents allow their children to judge a Teacher's qualifications, and if the child is not satisfied, it is allowed to stay at home. Frequently the child will, in order to stay away from School, lead its parents to believe that the Teacher is not competent to discharge the duties devolving upon him, and forthwith, without ceremony, they will take their children from the School without going to the trouble of visiting and examining for themselves. This action, on the part of one, leads to the same result with others, while the Teacher, without any knowledge of the gathering storm, is voted a "no account," and the Trustees are daily urged to discharge him and ob-



tain another. Parents ought always so instruct, that they will obey implicitly the demands of their Teacher. If he requires of them anything which is not right, their minds will tell them it is wrong, provided they have been raised in a proper manner. Should the Pupil tell anything at home concerning the School, they ought, before making any disturbance about it, ascertain whether the report is correct or not; then, if they are led to believe such is the case, lodge with the Trustees a formal complaint, so that the matter may be inquired into. Nothing interferes so much with the success of a School as to allow the Pupils to think themselves the judges, or on an equality with their Instructor. The same respect should be observed between Teacher and Pupil, as between parent and child. They should be taught that they go to School for the purpose of learning—not of judging and claiming an equality; for, unless the School is under the entire control of the Teacher, it can not be expected that any material advantage will be derived from the establishing of the same.

It has been conceded, by all enlightened minds, that Education is the keystone of Republicanism, and that ignorance is the foundation of all despotism and crime. This being a truth, too much care can not be bestowed upon this national work. We hold, as it were, in our hands the moral and intellectual germs of the nation, which, in their future development, are either to bless or curse society. The true system of Education is that which has for its object the development of all the faculties; not to burden the mind wholly with facts, and, at the same time, destroy the moral power, or at least render it useless from inactivity. From the many homes of our country are to be gathered the material which is to be used in the testing of the principles of our Government. These homes are to furnish the men who are to defeat or promote wise legislation, and in the School-room, and at the fire-side circle, should the work commence; for, as the "twig is bent, so will the tree incline." A nation's faith and honor depend upon the proper cultivation of the minds of its people. The friends of Education often murmur, and not without cause, at the almost total want of interest manifested by the people generally upon a subject of such vital importance. Who can look for a moment at the rapid increase of our population, and not feel the stern demands within them for more energy, more devotion, more interest in this national work? I call it national from the fact that the seeds sown now will, in future years, bring forth fruit, and if it be bad, the purity of our nation will be destroyed; if good, then we will continue our onward march in the race of intelligence, honor, and power.

There never has been a period in the history of our country when the necessity of a cultivation of all classes of our people was greater, or a sound national morality more emphatically demanded. Here, under a distinct form of Government, are united men of every shade of political and religious opinions. This mass of material, both moral and mental, is to be moulded so that each shall perform his part intelligently in our social and political organization—must be modified so as to blend with our peculiar institutions. With this view of the matter, it becomes evident that our Common School system is the basis upon which this great political and religious structure is to be reared and supported.

I like this word "Common." It carries with it the idea of a common interest, a common purpose, and a common destiny. It proclaims that wealth is not the only passport to intelligence. It implies the progress and equal privileges of a free people, and it breathes the spirit of social independence. The great mass of the people receive the rudiments, and, perhaps, all they ever know, or acquire, from our Com-

mon Schools. If, through neglect, these establishments are closed to those who are unable to go to higher places of learning, what fearful results will follow the act. A single glance convinces us that man occupies an exalted place in the universe of God; a place where, by his superior nature and intellectual power, he is admirably fitted to work out the great destiny to which his Creator has appointed him. Endowed with a physical nature far inferior to the brute, he is distinguished by an organization exquisite and beautiful; with passions low and debasing, which often sink him below the brute he controls. He unites the power to see far beyond the merely physical and material, to the regions of the spiritual and ideal. A power to discern the beautiful and true; to analyze and reason—to see the right and to pursue it—to feel his weakness and power—his mortality and immortality; to know that he possesses a nature, which though fallen and imperfect, still bears the impress of its Divine Original. From this, the soul shines out in all its majesty and purity; a soul formed for the accomplishment of high purposes—a conscience guiding us through the world, and pointing us to an abode of bliss or misery beyond! What a piece of work is man!—noble in reason, infinite in faculties, in form, and movement. How express and admirable in action! How like an angel in appearance! how like a God!

Do we not too often forget, in our efforts to mould and develop the youthful mind, that each one under our care possesses, in a greater or less degree, all these faculties; and is not this alone sufficient to compensate us for any effort it is in our power to bestow. They, as well as ourselves, will derive all that is really and rationally pleasurable from the cultivation of this, our higher nature. It is certain that with this cultivation only, comes the power to look intelligently upon the numberless beauties which nature has everywhere scattered around us, as well as to discern the beautiful in the world of thought and fancy. Each object upon which the eye rests is thus invested with its peculiar relations to human action and human destiny. Knowing, as we do, that upon a proper cultivation of these faculties depends our present, as well as our future weal or woe, is it not a question of importance for us to inquire how these shall best be educated to fit us for the exalted position we occupy in the Universe of God?

Man is fitted to excel in some calling or pursuit. He is also formed with different capacities, in order that he may work successfully in the sphere to which his taste and peculiarities adapt him, but before he can operate with success, these capacities must be brought out by an educational process, and the vast majority of men must receive the benefits of this process in our Common Schools. Now, without a healthy cultivation of the intellect, there can be no real individual or national progress. A nation may prosper for a while by the development of its physical resources alone, but its strength and permanency must depend upon a sound and healthy cultivation of the intellects of the people. Education, then, in its true sense, comprehends the training of every faculty of the heart and mind.

We can with all propriety compare the young mind to the diamond in its natural state. Before it passes through the hands of the jeweler its outward appearance gives but little evidence of the value within, but after a while we see it gracing the brow of beauty, adding new lustre to the graceful figure. The young intellect lying dormant while its owner is busily engaged in the recreations of youth, may not be noticed by the parent, but give the child the benefits of an educational system, and how soon it begins to glimmer, till at length it may attain such an intensity

of light as to astonish an entire world. That youthful brow may contain gems of thought which, when suffered to escape, will sparkle like the diamond, and hold in silence an admiring nation. The world can produce thousands of such instances. Some of the most valuable discoveries of the age have proceeded from men who were taught in our Common Schools. How many Teachers ever realize all the responsibility resting on them?

Then again, the question arises, can our Government be sustained without talent? Can talent be brought from its rough state into value without the aid of education, and can a general education be given without the aid of our Common Schools?

Free institutions can not be sustained until the masses are prepared to appreciate them, hence Free Education and a Free Press are the surest means of accomplishing this object. Our Common Schools and the Press are the two great common educators, and in a country where both are free, ignorance should be considered a crime.

In our fast age the acquisition of wealth—that is, the desire for wealth—seems to destroy every noble feeling. The desire to amass wealth is laudable, but not with the loss of all the talents given man, for with all its potency it is imbecile. It may purchase luxury, but it can not buy a love for truth and virtue. It may send a man to Congress, but it will not make him a wise legislator or a model of eloquence. It may give a man a position, but not common sense. Whatever is lofty and noble it cannot buy, and thus the humblest citizen, be he educated, will be the real prince, while the man who has made the acquisition of wealth his only aim, will be a beggar in intellect.

The writings of a Shakspeare, Milton, or Scott, lie mouldering in the Library, while the stuff of the present day, dignified with the name of fictions, the offspring of vile imaginations, is sent over the land reeking with corrupt thoughts. This is one of the abuses of the press, and every true citizen should discountenance such works. Let us as a people ever uphold our free system of Education, ever bearing in mind that we must educate the rising generation to understand and defend their rights, and thus enable them to receive the privileges we enjoy, and, understanding, be able to guard them from dishonor. Educate the rising generation: let them be personally free, free from superstition, free from intolerance, free from ignorance, and we will always continue a happy and prosperous nation.

I have thus, as far as in my power, complied with your request. Hoping that you will find everything correct, and with assurances of regard, I remain, yours very respectfully,

GEO. F. PRICE,  
Superintendent.

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## TRINITY COUNTY.

M. RUCH.....SUPERINTENDENT.

*How Trustees perform their Duties.*—Our Trustees have acted in all respects satisfactorily, and have performed their duties as well as could have been expected under the circumstances, yet they have been deceived in one Teacher at his examination, probably owing to the material from which they had to choose.

I can suggest no means for “spurring the indifferent to exertion;” the



remedy lies in a removal from office, and appointment of an eligible individual in his stead.

*Improvements Needed.*—I would suggest that some legal action be taken to enforce the necessity of a uniform system of books, and also the necessity of a library, and the more necessary apparatus, to be furnished by every District to the Public School. Indeed, I think that the State, in her liberality, might present to the Public Schools some suitable prize, in the nature of an annual gift to the best conducted and most generally attended School. Government might thus, at very little cost, gradually supply the Public Schools with apparatus, and at the same time excite an emulation in the several Schools of the State that would conduce to great good.

*General Remarks upon Education.*—The Public School system, as at present existing, requires, in my opinion, but little change to make it effectual in reaching the wants of our people. The principal hindrance that lies in the way of a free circulation of education with our youth, is: the want of some compulsory law that will compel the careless and indifferent parent to avail himself of the advantages of the Public School for his children. Further, the manner in which some children are reared in this State, giving to the children themselves the right to dispose of their own actions, renders it difficult for a Teacher to draw all the children from the streets, unless, indeed, he study more to please the whims and fancies of the child than his moral and mental culture.

Again, we are infested by a set of quack Teachers, who, retaining an inkling of their School lore, rush forward on a demand for a Teacher, as an applicant for that honorable position.

Men will leave an arduous or profitless vocation, and present themselves before the Trustees as candidates for a School, whose qualifications are merely literary; without any mental training, and with no habit of teaching; and they, being so numerous and ready to apply, frequently foist themselves upon the public, to the great injury of the Pupil, and the cause of Education generally.

A profession which calls for the exercise of the finest intellect—the highest grade of genius—should have some guards to keep out impostors and quacks, and should present inducements to honorable exertion and emulation.

I would suggest that a Congress of Teachers be called some time next Summer, to meet at Sacramento, there to adopt some means to establish the art of teaching as a science—an art—and there organize. A member of such an organization would be one who intended to devote his life to the employment, and his certificate of such membership would be the best recommendation he could produce.

Such a course would establish real merit and insure it employment, at the same time that it would guard against imposition and impostors.

The floating nature of our population makes it difficult for us to distinguish between real merit and loud-sounding pretension; and the interests of the Teacher demand a more frequent intercourse with his fellow-laborers.

The present condition of the School Law makes it optional with the Trustees to call in the Superintendent, who is invited, through courtesy, to attend the examinations of the applicants for Teacher, but in case of the disapproval of the Teacher, the only thing remaining to the Superintendent is to enter a protest, which is ineffective in some instances, as the Trustees may go on to give a certificate, and hire, notwithstanding

objections; thus the Superintendent's veto amounts to a nominal power, more fancied than real, to control selection of efficient Teachers.

M. RUCH,  
Superintendent of Public Schools of Trinity County.

## YOLO COUNTY.

HENRY GADDIS,.....SUPERINTENDENT.

*Attendance at School.*—The causes of non-attendance are: Dissatisfaction with Teachers, who are partially disqualified for the profession, and factious opposition between the patrons of the Schools. Ignorance, apathetic indifference, and pecuniary loss, caused by the failure of agricultural products, and low prices during the past two years, are also serious drawbacks upon the patronage of the Schools. I think, however, that some of these causes will soon cease to exist, and time will remove others. At present, I would be willing to try other remedies than coercion.

*How Trustees perform their Duties.*—In most of the older Districts, the Trustees have performed their duty well, especially those of Districts 3, 4, 5, and 6. The publication of the "Commentaries on the School Law" has already produced a beneficial influence upon School officers, as well as patrons generally. The negligent can sometimes be urged, by personal appeals, but I think that the withdrawal of the public funds will be found to be the most efficient means of spurring the indifferent and careless to exertion.

*Improvements Needed.*—It is believed by some that the instructions of the Superintendent of Public Instruction, and the State Board of Education, requiring County Superintendents and Trustees to divide the funds belonging to a District, according to the average daily attendance, where a plurality of Schools are maintained in the same District, is inconsistent with Clause 4, Section 11, of the School Law, which defines the duties and powers of County Superintendents. I would suggest, therefore, that the powers and duties of School officers be more distinctly defined in this particular.

*General Remarks upon Education.*—It is gratifying to witness the efforts that are being made for the instruction of the Youth of California, when we consider that a short time ago the region of country that we now inhabit, was the dominion of an inferior race, incapable of appreciating its advantages, or of developing its resources.

Although much has been done in this respect, of which we have reason to be proud, much remains undone, for which we have cause to lament. The improvement that has been made in this country has not yet entirely removed the obstacles that have impeded the cause of Education, upon which, it is believed, depends the perpetuity of our institutions, and our character among the States of this Confederation. Under the circumstances in which we have been placed, perhaps it would be unjust to complain of what has not been done; but, it is a fact, which, I think, no person acquainted with the subject will deny, that our system of Education is not yet equal to the population, wealth, and progress of our State. I am not disposed to find fault; but, as an humble advocate of the rights and interests of the rising generation, I must urge a more universal interest, and a more harmonious action, in this particular; every motive that can move a generous spirit bids us act. Religion, patriotism, and philan-



propy call upon us not to neglect to provide means for the education of our children, and posterity will not hold us guiltless if we heed not their voice.

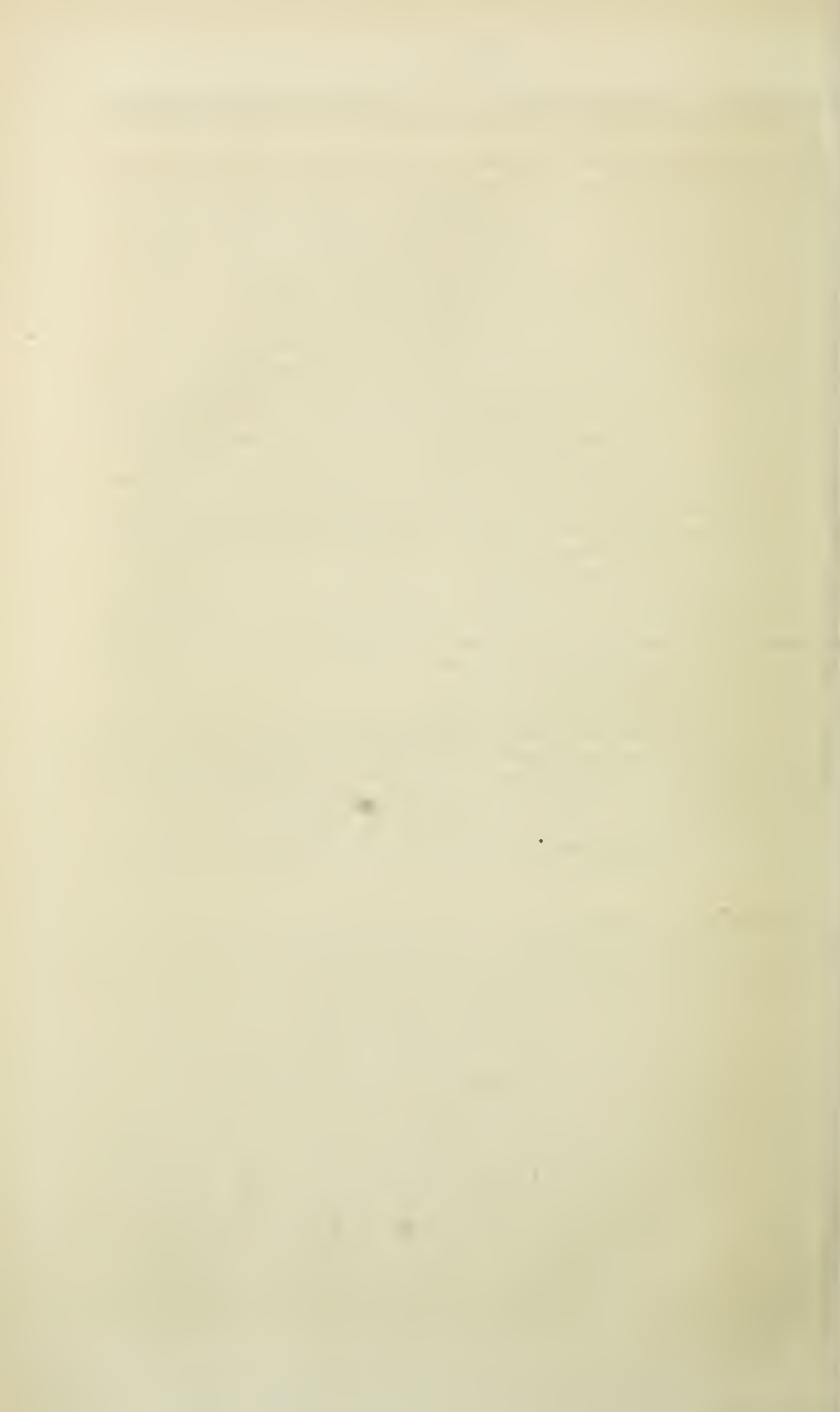
But due allowance must be made for the adverse circumstances by which we have been surrounded; our emigration and settlement here have been peculiar and unexampled, differing essentially from the settlement of other new States. But what have we to lose, when compared with them? We have a more fertile soil, a more genial climate, equal or greater energy or enterprise, and superior health. Beneath our mountains is buried inexhaustible wealth—our fields yield abundant harvests—our cattle luxuriate upon the herbage that covers our hills and valleys—and, from the sublime and beautiful displayed in our scenery, comes an elevating and purifying influence, to make us cheerful and happy; and if we make a proper use of the means which God and Nature has bestowed upon us, never will there be a people more prosperous. But, to do this, we must conquer our prejudices, and learn to act in union and harmony. We are here from all sections of the Union, and though we all have been reared under the same Constitution, and governed by similar laws, yet, in different sections, different manners and habits of thought and feeling have prevailed, and these have crept into our social organization, and serve to destroy that harmony of feeling which is so necessary to success in every enterprise for the public good.

These petty jealousies do not well become the character of freemen. If we wish to eradicate evil, and elevate society—if we desire to promote happiness, and to benefit posterity, we will lay aside these petty feuds, and enter into a more hearty and efficient co-operation for the establishment of our system of Public Instruction.

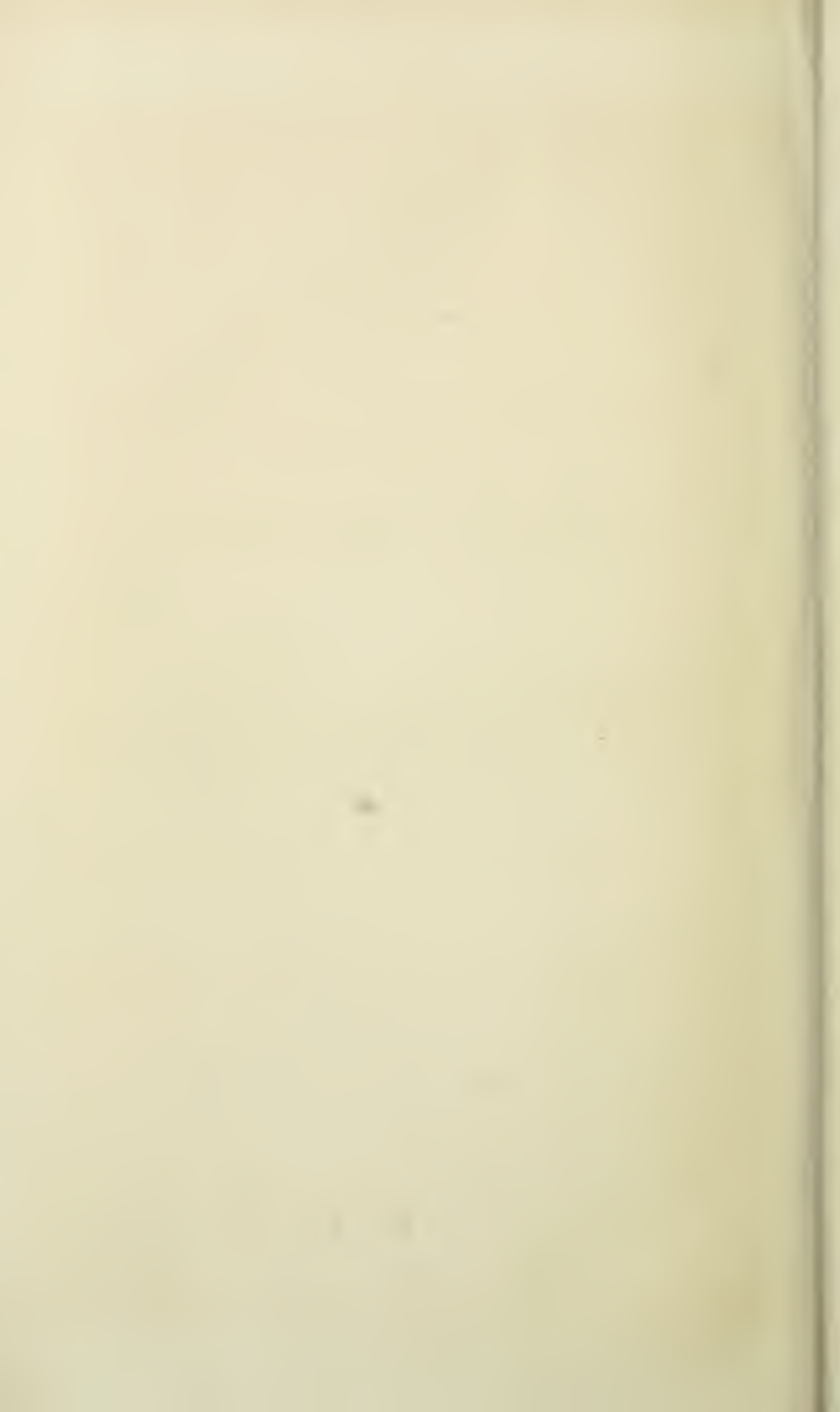
Space will scarcely permit me to discuss the subject of practical Education, but it has been so often and so eloquently presented to the public attention, that I can not find a new argument in its favor, or a new illustration by which to exhibit the high considerations that attach themselves to its proper appreciation, and therefore respectfully decline the task.

HENRY GADDIS,

Superintendent of Public Schools of Yolo County.

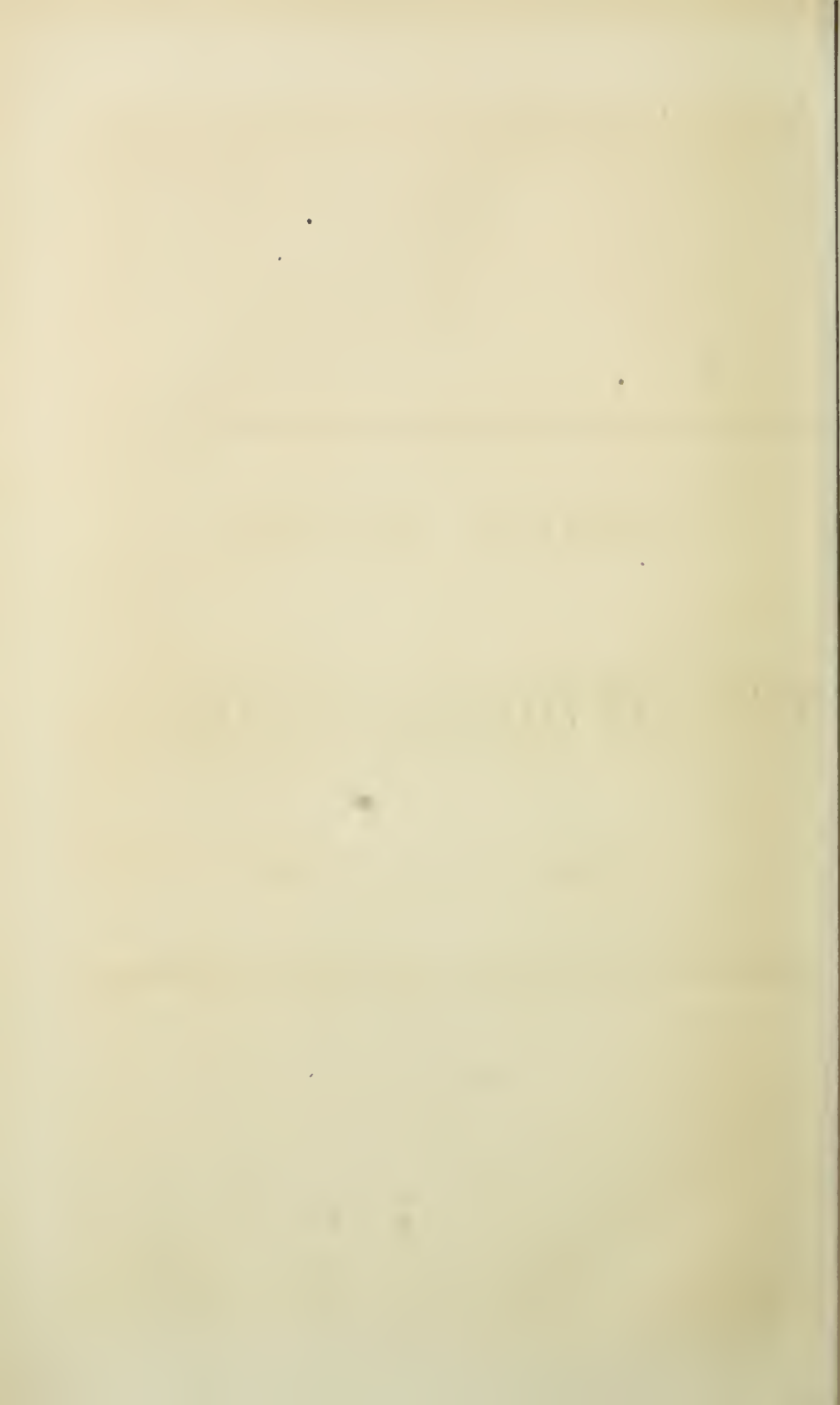












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ANNUAL REPORT

OF

THE ATTORNEY-GENERAL,

FOR

THE YEAR 1858.

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JOHN O'MEARA.....STATE-PRINTER.

# ANNUAL REPORT.

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ATTORNEY-GENERAL'S OFFICE, }  
Sacramento, December 15, A. D. 1858. }

To His Excellency,

JOHN B. WELLER,

*Governor of the State of California :*

SIR:—I have the honor to report to Your Excellency the condition of the affairs of this Department of the Government, and to transmit a transcript of my Docket, as required by the Act "concerning the office of Attorney-General," passed February first, one thousand eight hundred and fifty :

During the past year, the labor of this Office has greatly increased, being, perhaps, at least three-fold that of any former period.

The Docket marked "A," which I transmit, contains only those causes to which I have officially appeared in the Supreme Court.

That marked "B" exhibits those in which I have appeared in the lower Courts.

The law only requires the Attorney-General to appear in the Supreme Court; but, desirous to save the State from the heavy liabilities heretofore incurred for attorney-fees alone, I have given personal attention to every case in which the State or State Officers were interested, whenever it was possible so to do.

An examination of the Dockets which I transmit will show reasonable success.

I find that some of my predecessors have accompanied their Annual Report with a copy of the official opinions given by them during the current year. But as mine, up to this date, would fill a small volume, and therefore swell this Report most immoderately, I must be excused from following the precedent.

I have as yet received no reports from the District-Attorneys, but am led to believe, from the number of cases coming into the Supreme Court, and from statements made in the public journals, that there has been an increase of crime during the past year.

It affords me satisfaction, however, to say that many offenders have been brought to justice, and that there has been but little complaint as to the efficiency of the constituted authorities in administering and enforcing the law.

The fifth section of the Act relating to the office of Attorney-General, requires that officer, in his Annual Report, to "make such suggestions as shall appear to him calculated to improve the laws of the State."

That our laws are imperfect, is obvious to all who execute them—that essential improvements may be devised, no one doubts; but I apprehend that the great majority of defects will occur to the mind of any legislator. Therefore, while complying with the statute, I shall make but few suggestions.

The Act concerning Crimes and Punishments should be so amended as to make the unlawful use or conversion, by a clerk, bailee, or other person, acting in a fiduciary or confidential capacity, of money, goods, or chattels, entrusted to him as such bailee, etc., a larceny.

Much the greatest part of the business of this State is carried on by large companies, copartnerships, and foreign capitalists, who are necessarily compelled to entrust the management of their affairs to agents, clerks, etc. The history of the country shows that not unfrequently the latter have proved faithless to their employers, and misused the trust reposed in them.

As the law now stands, before such persons can be held criminally liable for their bad faith, the prosecution must show a conversion with *intent to steal*. And the consequence is, that scarcely a day passes in which we do not hear of such conversion of moneys or effects by faithless employes, and their acquittal by juries, upon the ground that they *did not intend to steal*. I think if the law was more severe, and the punishment for its infraction more certain, such acts would occur less frequently.

The thirteenth section of the Act concerning Crimes and Punishments provides "that the party or parties injured, shall, in all cases, be competent witnesses;" and the fourteenth section declares "that no black or mulatto person, or Indian, shall be permitted to give evidence in favor of or against any white person."

The Courts throughout the State, so far as I am informed, with the exception of the Court of Sessions, County Court, and Police Court, in the County of San Francisco, give force only to the last section quoted in cases of conflict, whilst the excepted Courts give force alone to the former. This difference of opinion, (though in other respects immaterial,) becomes all-important in the administration of justice, where a uniform system of jurisprudence, based upon the same rules and principles, is required in all parts of the State.

As this question is not likely to arise in any other cases than in misdemeanors, and as there is no appeal from a judgment less than a felony, thereby precluding its transfer to the Supreme Court, I respectfully recommend the passage of an Act settling the conflict of which I have spoken.

The greatest hardships incident to the administration of the Criminal Laws of this State arise out of the inability to prosecute appeals in cases less than a felony. There are many misdemeanors, in which the Courts are allowed to pass judgment of imprisonment in County-Jails, for long terms, and to assess fines for large amounts, and yet, such judgments, under our Constitution, are final. For this evil, there are but two



remedies: one is by amendment of the Constitution—which would be complete; the other, by conferring jurisdiction in such cases upon District Courts only—which would be partial. The latter mode, however, would involve the necessity of an increase in the number of Judicial Districts. If the Legislature should deem it prudent to take such course, then I would recommend a total abolition of the Courts of Sessions, by repealing the law providing for their organization, and that jurisdiction, in all cases except petty offences, be conferred upon the District Courts, leaving the latter to be tried by Justices of the Peace, with right of appeal to the County Courts. The law concerning the writ of *habeas corpus* should be so amended as to authorize the Court or Judge granting the writ to make it returnable before a Judge of the County or District in which the party making the application is confined. As the law now enacts, a party imprisoned in one section of the State may make application for the writ to a Judge in any other section, without regard to locality or circumstance. It may be directed from Klamath to San Diego; and I am personally cognizant of the fact, that much valuable time of our Supreme Judges is consumed in hearing applications which should have been made to a District or County Judge of the proper vicinage.

Permit me here to call your attention to the Act "For the better observance of the Christian Sabbath." The laws of nature demand a cessation from secular employment at least one day in seven. The moral code and custom designate as that day, the *first* of the week. I have no doubt that a bill may be framed, obviating all the objections urged to the Act of April tenth, one thousand eight hundred and fifty-eight. I am willing to assist in doing so, and, when drafted, earnestly recommend that it become a law.

Amendments to the Revenue Laws may be advantageously made. As they are numerous, I will not incumber this report with details, simply in this manner calling attention to the subject, and expressing my readiness to make specific suggestions to the appropriate Committees of the Legislature.

The same may be said concerning the Lands Laws, with this addition: that the Surveyor-General is willing to aid in making suggestions in relation thereto.

The law relating to executions in civil cases should be so amended as to authorize Sheriffs to levy upon, and take possession of, personal property in the custody of any other officer, held by virtue of an execution or attachment; requiring the latter to deliver his writ to the Sheriff, and making said writ in the hands of the Sheriff the first lien upon the property. Now, a Constable may levy an execution of one hundred dollars upon a piece of property of the value of one thousand dollars, and hold it in his custody until sale, notwithstanding the fact that another execution against the same party, for nine hundred dollars, may have been placed in the hands of the Sheriff subsequent to such levy, thereby greatly endangering the creditor's right to enforce the collection of his debt. The suggestion which I make will obviate all difficulty, and save the rights of all parties concerned.

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I have had under consideration several matters of importance, requiring legislative action; but, being yet unable to devise plans perfectly un-

objectionable for the correction of the evils referred to, I shall devote further time to those subjects, and make my suggestions in a supplemental report, before, or soon after, the meeting of the Legislature.

I am, very respectfully,

Your obedient servant,

THOS. H. WILLIAMS,

Attorney-General, Cala.

# TRANSCRIPT OF DOCKET

KEPT

BY THE ATTORNEY-GENERAL, (UNDER PROVISIONS OF SECTION FOURTH OF THE ACT OF FEBRUARY 1, 1850, "CONCERNING THE OFFICE OF ATTORNEY-GENERAL,")—FOR THE YEAR 1858.

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[IN THE SUPREME COURT.]

*Kept by Attorney-General, under provisions of Section fourth of the Act of February 1, 1850, "Concerning the office of Attorney-General," for the year 1858.*

| Title of Cause.                        | In what County, District, and Court, instituted.                 | Character of Cause, Civil or Criminal.                      | Mode of Prosecution, and nature of Demand or Crime.                       | Stage of Proceedings, etc., in Court below.                                            | Memorandum of Judgment or Sentence in Supreme Court.              |
|----------------------------------------|------------------------------------------------------------------|-------------------------------------------------------------|---------------------------------------------------------------------------|----------------------------------------------------------------------------------------|-------------------------------------------------------------------|
| The People v. Ah Ti.....               | Nevada County—Court of Sessions.....                             | Criminal prosecution for felony.....                        | By indictment for grand larceny.....                                      | Verdict of conviction, and judgment thereon: 1 year imprisonment in State-prison.....  | Judgment affirmed.....                                            |
| Myers v. English, State Treasurer..... | Sacramento County—District Court, Sixth Judicial District.....   | Civil proceeding to determine the rights of petitioner..... | By writ of mandamus, to enforce payment of a District Judge's salary..... | Order entered refusing the writ.....                                                   | Judgment affirmed.....                                            |
| The People v. Barbour.....             | Yuba County—Court of Sessions.....                               | Criminal prosecution.....                                   | By indictment for assault with a deadly weapon.....                       | Order entered, overruling motion to quash the indictment.....                          | Judgment affirmed.....                                            |
| The People v. Franklin Cox.....        | County of Butte—District Court, Fifteenth Judicial District..... | Criminal prosecution for felony.....                        | By indictment for manslaughter.....                                       | Verdict guilty, and judgment accordingly: 1 year imprisonment in State-prison.....     | Judgment reversed, and cause remanded.....                        |
| The People v. John Delan..             | County of Butte—District Court, Fifteenth Judicial District..... | Criminal prosecution for felony.....                        | By indictment for murder in the first degree.....                         | Verdict of guilty, and judgment of death.....                                          | Judgment affirmed.....                                            |
| The People v. John Galvin.....         | County of Yuba—District Court, Tenth Judicial District.....      | Criminal prosecution for felony.....                        | By indictment for murder in the first degree.....                         | Conviction, and judgment of death.....                                                 | Judgment affirmed.....                                            |
| The People v. Edw'd Lloyd.....         | County of Butte—District Court, Fifteenth Judicial District..... | Criminal prosecution for felony.....                        | By indictment for murder.....                                             | Conviction for manslaughter, and judgment: 10 years' imprisonment in State-prison..... | Judgment reversed, and cause remanded, for further proceedings... |

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|----------------------------------------------------------------------------------------|----------------------------------------------------------------------------|-------------------------------------------------|----------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------|
| The People v. McKinley....                                                             | County of San Francisco—<br>Court of Sessions.....                         | Criminal prosecution for<br>felony.....         | By indictment for grand<br>larceny.....                                                            | Court overruled demurrer<br>to indictment.....                                                      | Judgment reversed, and<br>cause remanded.....                                            |
| The People v. Charles M.<br>Peterson .....                                             | County of San Francisco—<br>Court of Sessions.....                         | Criminal prosecution for<br>felony.....         | By indictment for grand<br>larceny.....                                                            | Conviction and judgment: 2<br>years' imprisonment in<br>State-prison.....                           | Judgment reversed, and<br>cause remanded.....                                            |
| The People v. Henry Plummer<br>.....                                                   | County of Nevada—Dis-<br>trict Court, Fourteenth<br>Judicial District..... | Criminal prosecution for<br>felony.....         | By indictment for murder<br>in the second degree.....                                              | Verdict of guilty, and judg-<br>ment: 12 years' impris-<br>onment in State-prison...                | Judgment reversed, and<br>new trial ordered.....                                         |
| The People v. Samuel Stov-<br>enton .....                                              | County of Amador—Dis-<br>trict Court, Fifth Judicial<br>District.....      | Criminal prosecution for<br>felony.....         | By indictment for murder...                                                                        | Conviction, and judgment<br>of death.....                                                           | Judgment affirmed.....                                                                   |
| The People v. Wm. Wallace                                                              | County of Butte—District<br>Court, Fifteenth Judicial<br>District.....     | Criminal prosecution for<br>felony.....         | By indictment for murder...                                                                        | Verdict: guilty of murder in<br>first degree, and judg-<br>ment of death.....                       | Judgment reversed, and<br>remanded, to be re-<br>submitted to another<br>Grand Jury..... |
| The People v. Wilson.....                                                              | County of Marin—Court of<br>Sessions.....                                  | Criminal prosecution for<br>felony.....         | By indictment for assault<br>with deadly weapon, to<br>inflict great bodily in-<br>jury.....       | Verdict: guilty of an assault<br>with a deadly weapon—<br>judgment: 2 years in<br>State-prison..... | Judgment reversed, and<br>cause remanded, for<br>further proceedings...                  |
| The People v. Jacob Win-<br>ler.....                                                   | County of El Dorado—<br>Court of Sessions.....                             | Criminal prosecution for<br>felony.....         | By indictment for grand<br>larceny.....                                                            | Court sustained demurrer<br>to indictment—the Peo-<br>ple appealed.                                 | Judgment reversed, and<br>cause remanded, for<br>further proceedings...                  |
| The People v. York.....                                                                | County of Yuba—Court of<br>Sessions.....                                   | Criminal prosecution for<br>felony.....         | By indictment for assault,<br>with intent to commit<br>murder.....                                 | Verdict of conviction and<br>judgment: 2 years' im-<br>prisonment in State-<br>prison.....          | Judgment reversed, and<br>cause remanded, for<br>new trial.....                          |
| The People <i>ex rel.</i> John Gal-<br>vin v. Judge Tenth Judi-<br>cial District ..... | From County of Yuba.....                                                   | Civil proceeding before Su-<br>preme Court..... | On application for writ of<br>mandamus to compel the<br>Judge to sign bill of ex-<br>ceptions..... | Application of Petitioner<br>for the writ denied.....                                               |                                                                                          |



## TRANSCRIPT OF DOCKET

*Kept by Attorney-General, under provisions of Section fourth of the Act of February 1, 1850, "Concerning the office of Attorney-General," for the year 1858.*

| Title of Cause.                                                     | In what County, District, and Court, instituted.                      | Character of Cause, Civil or Criminal.                                            | Mode of Prosecution, and nature of Demand or Crime.                                                                    | Stage of Proceedings in Court below.                                                                                                    | Memorandum of Judgment or Sentence in Supreme Court.                         |
|---------------------------------------------------------------------|-----------------------------------------------------------------------|-----------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------|
| <i>The People v. Comedo.....</i>                                    | County of Los Angeles—Court of Sessions.....                          | Criminal prosecution for felony.....                                              | By indictment for "assault with a deadly thing".....                                                                   | Verdict of guilty, and judgment: 1 year's imprisonment, and \$730 fine, or imprisonment until paid, not exceeding, in all, 2 years..... | Judgment dismissing appeal, and affirming that of lower Court....            |
| <i>Ex parte Newman.....</i>                                         | County of Sacramento—Court of Justice of the Peace.....               | Civil proceeding to obtain discharge of petitioner from imprisonment.....         | By habeas corpus, to review sentence of Justice, on a violation of the Act "for better observance of the Sabbath"..... | Sentenced to pay fine of \$50, and costs, or imprisonment in County Jail for 35 days.....                                               | Writ granted, and, upon argument, ordered that the petitioner be discharged. |
| <i>The People ex rel. Attorney General v. John E. Addison .....</i> | County of San Francisco—District Court, Fourth Judicial District..... | Civil proceeding by suit of Relator to obtain judgment of ouster from office..... | In nature of 'quo warranto' to try right of Addison to office of State Gauger..                                        | Judgment rendered for Respondent.....                                                                                                   | Judgment affirmed.....                                                       |
| <i>The People ex rel. A. R. Melony v. G. W. Whitman .....</i>       | County of Sacramento—District Court, Sixth Judicial District.....     | Civil proceeding at suit of Relator, to obtain possession of office.....          | In nature of 'quo warranto' to enforce Relator's right to office of State Controller.....                              | Judgment rendered for Relator.....                                                                                                      | Judgment reversed, and case dismissed.                                       |
| <i>The People v. A. Honshell</i>                                    | County of San Joaquin—District Court, Fifth Judicial District.....    | Criminal prosecution for felony.....                                              | By indictment for manslaughter.....                                                                                    | Conviction and sentence for two years and six months imprisonment in State-prison.....                                                  | Judgment affirmed.....                                                       |
| <i>The People v. Martin Rodriguez .....</i>                         | County of Placer—District Court, Eleventh Judicial District.....      | Criminal prosecution for felony.....                                              | By indictment for murder in the first degree.....                                                                      | Conviction for murder in first degree, and judgment of death.....                                                                       | Judgment affirmed.....                                                       |

|                                                 |                                                                                                    |                                                                              |                                                                                           |                                                                                                                                              |                                                           |
|-------------------------------------------------|----------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------|
| The People v. Francisco Acosta, .....           | County of Placer—District Court, Eleventh Judicial District.....                                   | Criminal prosecution for felony.....                                         | By indictment for murder in the first degree.....                                         | Conviction for murder in second degree, and judgment: 10 years imprisonment in State-prison ...                                              | Judgment reversed, and cause remanded.....                |
| The People v. Juan Bernal                       | County of Santa Clara—Court of Sessions.....                                                       | Criminal prosecution for felony.....                                         | By indictment for the crime of rape.....                                                  | Conviction and judgment: 20 years imprisonment in State-prison, at hard labor .....                                                          | Judgment reversed, and cause remanded, for new trial..... |
| The People v. Chas. Bearss                      | County of Placer—Venue changed to San Francisco County, District Court, Fourth Judicial District.. | Criminal prosecution for felony.....                                         | By indictment for murder in first degree.....                                             | Conviction for manslaughter and judgment: for 5 years imprisonment in State-prison .....                                                     | Judgment reversed, and cause remanded.....                |
| The People v. Isaac C. Glenn.....               | County of ———, District Court, ——— Judicial District.....                                          | Criminal prosecution for felony.....                                         | By indictment for murder...                                                               | Conviction for manslaughter and judgment: two years and six months imprisonment in State-prison.....                                         | Judgment affirmed.....                                    |
| The People v. Jas. Mullins                      | County of Sacramento—Court of Sessions.....                                                        | Criminal prosecution for felony.....                                         | By indictment for assault with intent of murder.....                                      | Conviction for assault with deadly weapon, with intent to inflict great bodily injury. Judgment: 6 months imprisonment in State-Prison. .... | Judgment affirmed.....                                    |
| The People v. Buster <i>et al.</i> (No. 1)..... | County of Sonoma—District Court, Seventh Judicial District.....                                    | Civil action upon official bond of Buster as County Treasurer of Sonoma Co.. | By suit to recover \$15,000, due from defendants, and not paid over according to law..... | Judgment for defendants....                                                                                                                  | .....                                                     |
| The People v. Buster <i>et al.</i> (No. 2)..... | County of Sonoma—District Court, Seventh Judicial District.....                                    | Civil action upon official bond of Buster as County Treasurer.....           | By suit to recover \$15,000, due plaintiff, and not paid over according to law.....       | Judgment for defendants....                                                                                                                  | .....                                                     |
| Sonoma County v. Buster <i>et al.</i> .....     | County of Sonoma—District Court, Seventh Judicial District.....                                    | Civil action upon official bond of Buster as County Treasurer.....           | By suit to recover \$4,295 10/100 due plaintiff, and not paid over according to law.....  | Judgment for defendants....                                                                                                                  | .....                                                     |

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*Kept by Attorney-General, under provisions of Section fourth of the Act of February 1, 1850, "Concerning the office of Attorney-General," for the year 1858.*

| Title of Cause.                                                             | In what County, District, and Court, instituted.                             | Character of Cause, Civil or Criminal.                                                                 | Mode of Prosecution and nature of demand or Crime.                                                             | Stage of Proceedings in Court below.                                                                    | Memorandum of Judgment or Sentence in Supreme Court. |
|-----------------------------------------------------------------------------|------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------|------------------------------------------------------|
| The People v. Louis Gold-<br>burg.....                                      | County of Nevada—District<br>Court, Fourteenth Judi-<br>cial District.....   | Criminal prosecution for<br>felony.....                                                                | By indictment for murder...                                                                                    | Conviction for manslaughter,<br>et. and judgment: two<br>years imprisonment in<br>State-prison.....     | .....<br>Judgment affirmed.....                      |
| The People <i>ex rel.</i> DeFries<br>v. Supervisors of Marin<br>County..... | County of Marin—District<br>Court, Seventh Judicial<br>District.....         | Civil proceeding to enforce<br>Relator's right to office...                                            | By 'certiorari' to Board of<br>Supervisors, reviewing<br>order declaring office of<br>Constable vacant.....    | Judgment rendered, annul-<br>ling order of Board of<br>Supervisors.....                                 | Judgment affirmed.....                               |
| The People v. Miller.....                                                   | County of Amador—Dis-<br>trict Court, Fifth Judicial<br>District.....        | Criminal prosecution for<br>felony.....                                                                | By indictment for murder...                                                                                    | Conviction for manslaughter,<br>et. and judgment: six<br>months imprisonment in<br>State-prison.....    | .....<br>Judgment affirmed.....                      |
| The People v. James H.<br>Moore.....                                        | County of Nevada—District<br>Court, Fourteenth Judi-<br>cial District.....   | Civil action to collect taxes<br>assessed upon capital in-<br>vested in the business of<br>mining..... | By suit to enforce the pay-<br>ment of \$440 25, due the<br>State, under Act "To<br>provide revenue," etc..... | Judgment for plaintiffs for<br>\$440 25, and costs of suit.                                             | .....<br>Judgment affirmed.....                      |
| The People v. Michael Mur-<br>ray.....                                      | County of Sierra—District<br>Court, Fourteenth Judi-<br>cial District.....   | Criminal prosecution for<br>felony.....                                                                | By indictment for murder...                                                                                    | Conviction for murder in<br>first degree, and judgment<br>of death.....                                 | Judgment affirmed.....                               |
| The People v. L. Choiser...                                                 | County of Mariposa—Dis-<br>trict Court, Thirteenth<br>Judicial District..... | Criminal prosecution for<br>felony.....                                                                | By indictment for murder...                                                                                    | Conviction for manslaughter,<br>et. and judgment: im-<br>prisonment for 5 years<br>in State-prison..... | Judgment affirmed.....                               |

|                                                    |                                                                   |                                                                                 |                                                                                                     |                                                                                |                                                                                        |
|----------------------------------------------------|-------------------------------------------------------------------|---------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------|----------------------------------------------------------------------------------------|
| The People v. Mayberry Way, (No. 1.).....          | County of Napa—Court of Sessions.....                             | Criminal prosecution for felony.....                                            | By indictment for forgery...                                                                        | Conviction and judgment: imprisonment for three years in State-prison.....     | Judgment affirmed.....                                                                 |
| The People v. Mayberry Way, (No. 2.).....          | County of Napa—Court of Sessions.....                             | Criminal prosecution for felony.....                                            | By indictment for forgery...                                                                        | Conviction and judgment: imprisonment in State-prison for term of 1 year.      | .....                                                                                  |
| The People v. Judd <i>et al.</i> ....              | County of Del Norte—District Court, Eighth Judicial District..... | Criminal prosecution for felony.....                                            | By indictment for murder...                                                                         | Judgment rendered sustaining demurrer to sufficiency of indictment.....        | Judgment reversed, and cause remanded, with instructions to proceed on the indictment. |
| The People v. John S. Smyth.....                   | County of Del Norte—Court of Sessions.....                        | Criminal prosecution for felony.....                                            | By indictment for grand larceny.....                                                                | Conviction and judgment of imprisonment for term of 1 year in State-prison.... | Judgment reversed.....                                                                 |
| The People v. Ah Loy.....                          | County of El Dorado—Court of Sessions.....                        | Criminal prosecution for felony.....                                            | By indictment for robbery..                                                                         | Conviction and judgment of imprisonment for one year in State-prison.....      | Judgment affirmed.....                                                                 |
| Stockton (Sheriff) v. Shasta County, (No. 1.)..... | County of Shasta—District Court, Ninth Judicial District.....     | Civil action to enforce plaintiff's right as Sheriff, against the County.....   | By suit to recover \$1,067 20 due plaintiff for keeping the County Jail, etc.....                   | Judgment for Plaintiff for \$1,005 20.....                                     | Judgment reversed, and cause dismissed.....                                            |
| Stockton (Sheriff) v. Shasta County, (No. 2.)..... | County of Shasta—District Court, Ninth Judicial District.....     | Civil action to enforce plaintiff's dues as an officer against said County..... | By suit to recover certain claims against Shasta Co. for keeping Court-House, County-Jail, etc..... | Judgment for Plaintiff for \$1,105 50.....                                     | Judgment reversed, and cause dismissed.....                                            |
| The People v. John H. Smith.....                   | County of Napa—District Court, Seventh Judicial District.....     | Criminal prosecution for felony.....                                            | By indictment for murder...                                                                         | Conviction and judgment of death.....                                          | Judgment affirmed. [Remittitur directed to Court below, and judgment executed.]        |
| The People v. Wells.....                           | .....                                                             | .....                                                                           | .....                                                                                               | .....                                                                          | .....                                                                                  |
| The People v. Valletti.....                        | County of Sutter—Court of Sessions.....                           | Criminal prosecution for felony.....                                            | By indictment for grand larceny.....                                                                | Conviction and judgment of imprisonment for three years in State-prison.....   | .....                                                                                  |

## TRANSCRIPT OF DOCKET

*Kept by Attorney-General, under provisions of Section fourth of the Act of February 1, 1850, "Concerning the office of Attorney-General," for the year 1858.*

| Title of Cause.                                                 | In what County, District, and Court, instituted.                                                           | Character of Cause, Civil or Criminal.              | Mode of Prosecution and nature of demand or Crime.                                                                                      | Stage of Proceedings in Court below.                                                                                                                  | Memorandum of Judgment or Sentence in Supreme Court. |
|-----------------------------------------------------------------|------------------------------------------------------------------------------------------------------------|-----------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------|
| <i>The People v. Plummer ....</i>                               | County of Nevada—Fourteenth Judicial District—change of venue to Yuba County, Tenth Judicial District..... | Criminal prosecution for felony.....                | By indictment for murder...                                                                                                             | Conviction of murder in second degree, and judgment: imprisonment in State-prison for 10 years, at hard labor.....                                    | .....                                                |
| <i>The People v. Hammond...</i>                                 | County of Marin—District Court, Seventh Judicial District.....                                             | Criminal prosecution for felony.....                | By indictment for murder...                                                                                                             | Conviction for murder in second degree, and judgment of imprisonment in State-prison for term of 21 years.....                                        | .....                                                |
| <i>The People v. Bircham.....</i>                               | County of El Dorado—District Court, Eleventh Judicial District.....                                        | Civil action for forfeiture of recognizance.....    | By suit for \$5,000.....                                                                                                                | Judgment for Plaintiff for \$5,000, and costs. Order entered requiring execution returned, and judgment satisfied; from which Plaintiff appealed..... | .....                                                |
| <i>The People ex rel. Rann &amp; Plant v. El Dorado Co.....</i> | County of El Dorado—District Court, Eleventh Judicial District.....                                        | Civil proceeding to enforce rights of Relators..... | By "certiorari" to vacate an order of the Board of Supervisors, allowing the County Auditor 75 cents for each warrant drawn by him..... | Judgment rendered, vacating order made by the Board of Supervisors....                                                                                | Judgment affirmed.....                               |
| <i>Cloud v. El Dorado Co.....</i>                               | County of El Dorado—District Court, Eleventh Judicial District.....                                        | Civil action in nature of ejectment.....            | By suit to recover possession of the Court-House in Coloma, with rents and profits.....                                                 | Judgment for Plaintiff for restitution of premises, and \$ ——— damages...                                                                             | .....                                                |



|                                                                                            |                                                                                |                                                                                                                  |                                                                                                                                                                                                                               |                                                                                                                  |                        |
|--------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------|------------------------|
| <i>The People v. Read et al.</i> .....                                                     | County of El Dorado—Dis-<br>trict Court, Eleventh Ju-<br>dicial District.....  | Civil action on official bond<br>of a County Treasurer....                                                       | By suit to recover moneys<br>received by said Read as<br>County Treasurer, and<br>which he failed to pay<br>over to his successor in<br>office .....                                                                          | Judgment for Plaintiff.....                                                                                      | Judgment affirmed..... |
| <i>Fremont v. Mariposa Co.<br/>and Early, (Sheriff.)</i> .....                             | County of Mariposa—Dis-<br>trict Court, Thirteenth<br>Judicial District.....   | Civil action and prayer for<br>injunction .....                                                                  | By suit to recover moneys<br>paid as taxes by plaintiff,<br>and to offset his judgment<br>herein against the amount<br>of his taxes assessed for<br>the year 1856, and to re-<br>strain the collection of the<br>latter ..... | Injunction granted, and ap-<br>peal taken by defendants<br>.....                                                 | .....                  |
| <i>J. W. Kisting v. Board of<br/>Land Commissioners, J.<br/>Neely Johnson et al.</i> ..... | County of San Francisco—<br>District Court, Twelfth<br>Judicial District.....  | Civil proceeding in chan-<br>cery to enjoin defendants.                                                          | By bill praying for writ of<br>injunction to restrain the<br>Board of Commissioners<br>from selling certain lots<br>belonging to plaintiff.....                                                                               | Judgment and decree that<br>injunction be perpetual,<br>and plaintiff recover \$78,<br>costs of suit.....        | .....                  |
| <i>The State of California v.<br/>City and County of San<br/>Francisco</i> .....           | County of San Francisco—<br>District Court, Fourth Ju-<br>dicial District..... | Civil proceeding to try the<br>right of property.....                                                            | By suit of ejectment to re-<br>cover possession of Lot<br>No. 118, (as per official<br>Map,) and for \$500 dam-<br>ages .....                                                                                                 | Judgment for defendant for<br>costs of suit.....                                                                 | .....                  |
| <i>The People ex rel. John H.<br/>McKune v. John B. Wel-<br/>ler, Governor</i> .....       | County of San Francisco—<br>District Court, Twelfth<br>Judicial District.....  | Civil proceeding to enforce<br>Relator's right to office of<br>District Judge, Sixth Ju-<br>dicial District..... | By petition, praying for a<br>writ of mandamus to com-<br>pel the Governor to issue<br>to relator a commission as<br>District Judge .....                                                                                     | Ordered and adjudged that<br>Relator is not entitled to<br>a commission, and prayer<br>of petitioner denied..... | .....                  |
| <i>The People ex rel. Brodie v.<br/>John B. Weller, Gover-<br/>nor</i> .....               | County of San Francisco—<br>District Court, Fourth Ju-<br>dicial District..... | Civil proceeding to enforce<br>relator's right to office of<br>District Judge, Twelfth<br>Judicial District..... | By petition, praying for a<br>writ of mandamus, to<br>compel the Governor to<br>issue Relator a commis-<br>sion as District Judge....                                                                                         | Ordered and adjudged that<br>petitioner is not entitled<br>to a commission, and<br>prayer denied.....            | .....                  |

## TRANSCRIPT OF DOCKET

*Kept by Attorney-General, under provisions of Section fourth of the Act of February 1, 1850, "Concerning the office of Attorney-General," for the year 1858.*

| Title of Cause.                                | In what County, District, and Court, instituted.                                                         | Character of Cause, Civil or Criminal.                                                          | Mode of Prosecution and nature of Demand or Crime.                                                                          | Stage of Proceedings in Court below.                                                                       | Memorandum of Judgment or Sentence in Supreme Court. |
|------------------------------------------------|----------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------|------------------------------------------------------|
| McCanley v. John B. Weller <i>et al.</i> ..... | County of Marin—Justice Clark's Court, San Rafael Township; trial 'de novo,' in County Court, on appeal. | Civil action of "forcible entry and unlawful detainer," against the State-Prison Directors..... | By suit to obtain restitution and possession of the premises known as "State-Prison, and for \$5,000 per month damages..... | Judgment in Justice's Court for defendants; judgment in County Court against Weller for \$—— damages ..... | .....                                                |

TRANSCRIPT OF DOCKET

OF

CASES CONDUCTED BY THE ATTORNEY-GENERAL, IN HIS  
OFFICIAL CAPACITY, IN ALL THE LOWER COURTS  
THROUGHOUT THE STATE, DURING THE  
YEAR EIGHTEEN HUNDRED  
AND FIFTY - EIGHT.

## DOCKET OF CASES

*Conducted by the Attorney-General, in his Official Capacity, in all the Lower Courts throughout the State, during the Year one thousand eight hundred and fifty-eight.*

| Title of Cause.                                                                                    | In what County, District, and Court, instituted.                                                                           | Character of Cause, Civil or Criminal.                                                                                                 | Mode of Prosecution, and nature of Demand.                                                                                                                                                                                                           | Stage of Proceedings, in Court below.                                                                                                                  | Memorandum of Process issued, or satisfaction of Judgment. |
|----------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------|
| <i>The People v. Henry Bates.</i><br>(No. 3).....                                                  | Originally in Court of Sessions Sacramento County, by change of venue, transferred to Placer County Court of Sessions..... | Criminal prosecution for felony, while acting as State Treasurer .....                                                                 | By indictment for failing to pay over moneys which he received as an officer, belonging to the State of California, said sum being \$47,946 87 .....                                                                                                 | Trial by jury—had verdict “not guilty,” and judgment thereon, for defendant .....                                                                      | .....                                                      |
| <i>The People v. Henry Bates.</i><br>(No. 2).....                                                  | Transferred from Court of Sessions, Sacramento Co., to that of Placer County, by change of venue.....                      | Criminal prosecution for felony, committed by said Bates, as State Treasurer .....                                                     | By indictment for “permitting one E. A. Rowe to use moneys of said State, without compensation,” the sum charged as misused being \$15,000.. ..                                                                                                      | Jury trial, but, before being concluded, “nolle pros.” entered, on account of testimony necessary to the prosecution being ruled out by the Court..... | .....                                                      |
| <i>The People v. Henry Bates.</i><br>(No. 1).....                                                  | Transferred from Court of Sessions, Sacramento Co., to that of Placer County by change of venue.....                       | Criminal prosecution for felony, committed by said Bates, as State Treasurer .....                                                     | By indictment, for “permitting one E. A. Rowe to use moneys belonging to the State of California, [\$182,290 92,] which said moneys, said Bates, being Treasurer of said State, was required to keep in his possession, without compensation,” ..... | Jury trial, but before being concluded, “nolle pros.” entered, on account of testimony necessary to the prosecution being ruled out by the Court.....  | .....                                                      |
| <i>Louis C. Opperman v. M. G. Read, J. C. Palmer, Thos. Findley, State Treasurer, et al.</i> ..... | This suit was instituted in the County of San Francisco, District Court of the Fourth Judicial District.....               | Civil action for foreclosure of certain mortgaged premises, and to foreclose the equity of redemption in the State of California ..... | By bill in equity to bar the lien which attached on said promises, in consequence of a judgment in favor of the State for \$72,957 50, against the defendants, Palmer <i>et al.</i> .....                                                            | Judgment rendered against all the defendants in interest, except Findley, which will operate as a discontinuance.....                                  | .....                                                      |

|                                                                                             |                                                                                                    |                                                                                                                                        |                                                                                                                                              |                                                                                                                  |                                                                                        |
|---------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------|
| Thomas J. Smiley v. H. C. Cobb, Thomas Findley, State Treasurer, <i>et al.</i> .....        | This suit was instituted in the County of San Francisco, District Court Twelfth Judicial District  | Civil action for foreclosure of certain mortgaged premises, and to foreclose the equity of redemption in the State of California.      | By bill in equity to bar the lien which attached on said premises in consequence of a judgment in favor of the State for \$72,957 52 .....   | Decree of foreclosure entered. Judgment taken against said Findley, by default.....                              | Demurrer and answer prepared by Attorney-General; left with defendant Findley to file. |
| J. Mora Moss v. J. As. Smiley, Thos. Findley, State Treasurer, <i>et al.</i> .....          | This suit was instituted in the County of San Francisco, District Court Fourth Judicial District.. | Civil action to restrain the issuance, negotiation, or transfer, of certain claims of James Smiley, allowed by act of the Legislature. | By injunction restraining defendant Findley from delivering up certain bonds of value \$15,474.68                                            | Defendant Findley appearing by Attorney-General, filed demurrer and answer, Oct. 28, 1858. No trial yet had..... | .....                                                                                  |
| J. Mora Moss v. J. C. Palmer, Thos. Findley, State Treasurer, <i>et al.</i> .....           | This suit was instituted in the County of San Francisco, District Court Twelfth Judicial District  | Civil action for foreclosure of certain mortgaged premises, and to foreclose the equity of redemption in the State of California.      | By bill in equity to bar the lien which attached on said premises, in consequence of a judgment in favor of the State, for \$72,957 50 ..... | Judgment of discontinuance as to Thos. Findley, entered Aug. 2, 1858.....                                        | .....                                                                                  |
| Emanuel Berri v. Chas. C. Bowman, Thos. Findley, State Treasurer, <i>et al.</i> .....       | This suit was instituted in the County of San Francisco, District Court Twelfth Judicial District  | Civil action for foreclosure of certain mortgaged premises, and to foreclose the equity of redemption in the State of California ..    | By bill in equity to bar all liens of the State which attached upon said premises in consequence of any judgments recovered.                 | Cause referred to Caleb Burbank, Aug. 2, 1858. No report yet filed.....                                          | .....                                                                                  |
| Abel Guy v. J. C. Palmer, Thomas Findley <i>et al.</i> — (No. 5,150).....                   | This suit was instituted in the County of San Francisco, District Court Twelfth Judicial District  | Civil action for foreclosure of mortgaged premises, and to foreclose the equity of redemption in the State of California.....          | By bill in equity to bar all liens of State which attached upon said premises, by virtue of any judgments recovered on her behalf.....       | Discontinuance entered as to Findley, August 2d, 1858.....                                                       | .....                                                                                  |
| Abel Guy v. J. C. Palmer, Thomas Findley, State Treasurer, <i>et al.</i> — (No. 5151.)..... | This suit was instituted in the County of San Francisco, District Court Twelfth Judicial District  | Civil action for foreclosure of mortgaged premises, and to foreclose the equity of redemption in the State of California.....          | By bill in equity to bar all liens of State which attached subsequent to the incumbrance of Plaintiff.                                       | Discontinuance as to Findley .....                                                                               | .....                                                                                  |



## DOCKET OF CASES

Conducted by the Attorney-General, in his official Capacity, in all the Lower Courts throughout the State, during the Year one thousand eight hundred and fifty-eight.

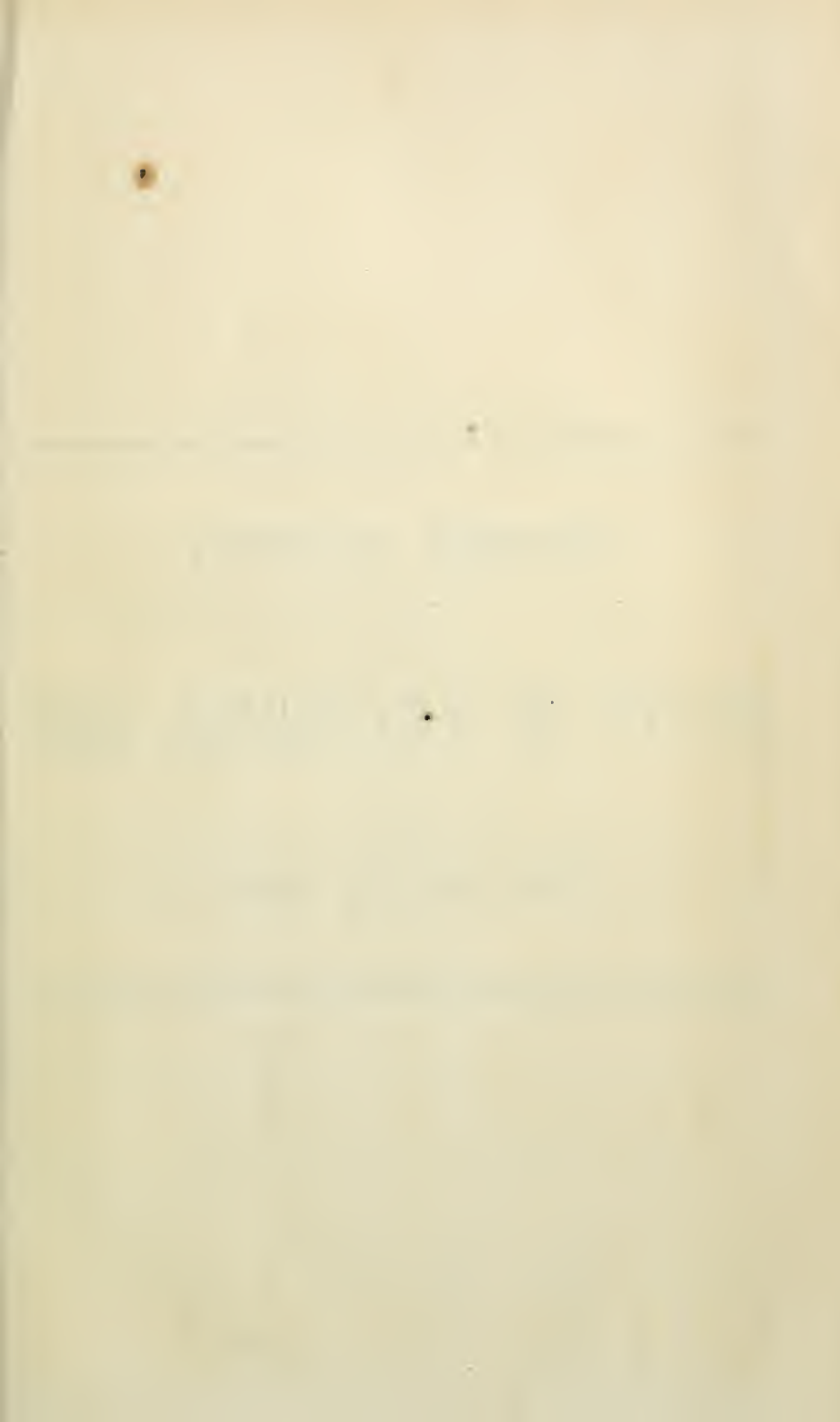
| Title of Cause.                                                                                            | In what County, District, and Court, instituted.                                                  | Character of Cause, Civil or Criminal.                                                                                                            | Mode of Prosecution and nature of demand.                                                                                                                               | Stage of Proceedings in Court below.                                                                                  | Memorandum of Process issued, or satisfaction of Judgment. |
|------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------|
| Edward Lauder v. Mary Bowie, Special Administratrix, and Thos. Findley, State Treasurer.....               | This suit was instituted in the County of San Francisco, District Court Twelfth Judicial District | Civil action to restrain the State Treasurer from delivering bonds issued on the claim of one H. Bowie, by Act of Legislature.....                | By injunction against said Findley, forbidding the transfer of bonds, to the amount of \$4,533 57.                                                                      | This cause has been consolidated with Cohen v. Findley <i>et al.</i> , by order, November 19, 1858. No trial yet..... | .....                                                      |
| Jacob S. Cohen v. Mary Bowie, Special Administratrix, and Thos. Findley, State Treasurer.....              | This suit was instituted in the County of Sacramento, District Court Sixth Judicial District..... | Civil action to restrain the State Treasurer from issuing certain bonds on the claim of one H. Bowie, authorized by Act of Legislature.....       | By injunction, praying final decree, directing the said Findley to deliver Plaintiff bonds to the amount of \$6,500.....                                                | No judgment yet.....                                                                                                  | .....                                                      |
| Hiram C. Wheeler v. City and County of San Francisco, Thomas Findley, State Treasurer, <i>et al.</i> ..... | This suit was instituted in the County of Sacramento, District Court Sixth Judicial District..... | Civil action to restrain the State Treasurer from delivering bonds on some \$68,000 of Warrants, received by him for funding.....                 | By injunction, praying decree directing Defendants to pay the claim of Plaintiff for \$16,056, out of said Warrants, or State indebtedness.....                         | No trial yet had.....                                                                                                 | .....                                                      |
| The State of California v. Robert C. Rogers, Administrator .....                                           | This suit was instituted in the County of San Francisco, District Court Fourth Judicial Court.... | Civil Act on "information" of the Attorney-General, to buy the right of property, claimed on behalf of the State, under the laws of escheat ..... | In nature of an "inquest" of office," on estates of David Morgan and Isaac Levick, deceased, and requiring the terre-tenants to show cause, or attorn to the State..... | Not yet tried.....                                                                                                    | .....                                                      |

|                                                                                                                                      |                                                                                                                                                                                                     |                                                                                                                                           |                                                                                                                                                                                               |                                                                                                                                                                                          |                                                                                                                         |
|--------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------|
| Crowell & Ross v. John B. Weller <i>et al.</i> .....                                                                                 | This suit was instituted in the County of Marin, District Court of the Seventh Judicial District.....                                                                                               | Civil action in nature of ejectment .....                                                                                                 | By injunction to restrain Defendants from digging brick-clay, cutting timber and grass, and herding stock upon land of Plaintiff, adjoining State-prison premises, at Point San Quentin ..... | Injunction made perpetual, and cause thereafter settled by the parties litigant.....                                                                                                     | The motion to dissolve injunction was made before Judge McKinstry, at Napa City.                                        |
| Henry Bates, State Treasurer, for the use and benefit of the State of California, v. J. C. Palmer, Peter Folger <i>et al.</i> .....  | This suit was instituted in the County of Sacramento, District Court Sixth Judicial Court.....                                                                                                      | Civil action on bond given to State Treasurer for payment of interest on State-bonds .....                                                | Complaint, praying judgment for \$72,957 50 cts., amount due said State, received by Palmer, Cook & Co., and not accounted for .....                                                          | Judgment for plaintiff for \$72,957 50, with interest at 10 per cent., from January 2, 1857.....                                                                                         | This judgment is entitled to a credit of \$1,553 59; May 19, 1857. [I have caused properly to be sold under execution.] |
| Henry Bates, for the use and benefit of the State of California, v. Pacific Express Company, Solomon Heydenfeldt <i>et al.</i> ..... | This suit was instituted July 31, '57, in the Co. of Sacramento, District Court, Sixth Judicial District, and notice <i>its pendens</i> filed in Co. Recorder's office, San Francisco, Aug. 4, '57. | Civil action upon the bond given by said Pacific Express Co. for \$124,000, for the safe transmission and payment of State moneys .....   | Complaint prays judgment for \$124,000, due said State from defendant upon the liability incurred by failure to pay the interest on State bonds in New York.....                              | No trial yet had, but by consent of counsel a change of venue made to the District Court of Twelfth Judicial District, San Francisco County.                                             | Testimony has been taken by deposition.                                                                                 |
| Henry Bates, for the use and benefit of the State of California, v. J. C. Palmer, John H. Dall <i>et al.</i> .....                   | This suit was instituted in the County of Sacramento, District Court Sixth Judicial District.....                                                                                                   | Civil action on bond given to State Treasurer for payment of interest on State bonds.....                                                 | Complaint prays judgment for \$72,957 50, amount due said State from defendants, for which they failed to account.....                                                                        | Judgment for Plaintiff May 14, 1857, for \$72,957 50, and interest at the rate of 10 per cent. from January 2, 1857, until paid..                                                        | This judgment is entitled to a credit of \$1,553 59; May 19, 1857.                                                      |
| The People <i>ex rel.</i> A. R. Melony, v. G. W. Whitman .....                                                                       | County of Sacramento, District Court Sixth Judicial District.....                                                                                                                                   | Civil proceeding at suit of Relator to obtain possession of office.....                                                                   | In nature of "Quo Warranto" to enforce Relator's right to the office of State Controller. ....                                                                                                | Judgment entered for Relator, and Respondent appealed .....                                                                                                                              | .....                                                                                                                   |
| John F. McCauley v. John B. Weller, Ferris Forman, and Jos. Walkup.....                                                              | County of Marin, Justice Clark's Court, San Rafael Township, also trial <i>de novo</i> in the County Court on appeal.....                                                                           | Civil action, quasi-criminal, of forcible entry and unlawful detainer against defendants, who were acting as State-Prison Directors ..... | By suit to obtain restitution and possession of the premises known as the "State-Prison," and for \$5,000 per month damages .....                                                             | Judgment in Justice's Court for defendants; in the County Court in favor of Walker and Forman, and against Weller, for \$12,249 93, damages.—Defendant Weller appealed to Supreme Court. | .....                                                                                                                   |

## DOCKET OF CASES

*Conducted by the Attorney-General, in his Official capacity, in all the Lower Courts throughout the State, during the Year one thousand eight hundred and fifty-eight.*

| Title of Cause.                                                                   | In what County, District, and Court, instituted.                       | Character of Cause, Civil or Criminal.                                                                                                     | Mode of Prosecution, and Nature of Demand.                                                                                               | Stage of Proceedings, in Court below.                                                                                         | Memorandum of Process issued, or satisfaction of Judgment. |
|-----------------------------------------------------------------------------------|------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------|
| The People <i>ex rel.</i> John H. McKune, <i>v.</i> John B. Weller, Governor..... | County of San Francisco, District Court Twelfth Judicial District..... | Civil proceeding to enforce Relator's right to the office of Judge of the Sixth Judicial District for the term ending January 1, 1859..... | By petition, praying writ of mandamus, compelling the Governor to issue him a commission as District Judge.....                          | Judgment: That Relator is not entitled to the commission, and prayer of petitioner denied. Appeal taken to Supreme Court..... | .....                                                      |
| The People <i>ex rel.</i> Brodie, <i>v.</i> John B. Weller, Governor.....         | County of San Francisco, District Court Fourth Judicial District.....  | Civil proceeding to enforce Relator's right to the office of District Judge of the Twelfth Judicial District.....                          | By petition, praying writ of mandamus, compelling the Governor to issue him a commission as District Judge.....                          | Judgment: That Relator is not entitled to the commission, and prayer of petitioner denied. Appeal taken to Supreme Court..... | .....                                                      |
| The State of California <i>v.</i> The City and County of San Francisco.....       | County of San Francisco, District Court Fourth Judicial District.....  | Civil proceeding to try the right of property.....                                                                                         | By suit of ejectment to recover possession of lot No. 118, [as per official map of the city,] and for \$500 damages.....                 | Judgment rendered for defendant, and for costs of suit. Appeal taken by the State, party plaintiff.                           | .....                                                      |
| The State of California <i>v.</i> Wells, Fargo & Co.....                          | County of San Francisco, District Court Twelfth Judicial District..... | Civil action to recover possession of certain bonds or their value.....                                                                    | Complaint prays judgment for \$—, the amount of certain State Comptroller's warrants, [paid and redeemed by State] funded by defendants. | No trial yet had.....                                                                                                         | .....                                                      |







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ANNUAL REPORT

OF

THE SECRETARY OF STATE,

FOR

THE YEAR 1858.

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JOHN O'MEARA.....STATE-PRINTER.

# ANNUAL REPORT.

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STATE OF CALIFORNIA, OFFICE OF SECRETARY OF STATE, }  
December 15th, 1858.

To His Excellency,

JOHN B. WELLER,

*Governor of the State of California :*

In obedience to the requirements of the laws of this State, I beg leave to submit the following

## REPORT :

Inasmuch as this office is the depository of the official acts of the Executive, and as the same are of record in the office of your Excellency, it will not be necessary to make any statement thereof. Suffice it to say that all the official acts of the Executive have been fully recorded in books prepared and kept for that purpose.

By the law, it is made the duty of the Secretary of State to distribute the Laws, Journals, Reports, etc. On the 5th of May, the State Printer commenced delivering to this office the Statutes of the last Session of the Legislature, and on the 24th of May the distribution of them, as required by law, was completed—eleven hundred copies having been forwarded to the County Clerks of the respective Counties of this State.

In compliance with the resolution of April 12th, 1858, I distributed, according to law, the following copies of the Statutes in Spanish :

|                       |             |
|-----------------------|-------------|
| Of the year 1852..... | 55 copies,  |
| Of the year 1853..... | 125 copies, |
| Of the year 1855..... | 182 copies, |
| Of the year 1856..... | 155 copies, |
| Of the year 1857..... | 166 copies. |

There being less than fifty copies of the year 1854 on hand, none were distributed.

Three hundred copies of the Sixth, Seventh, and Eighth Volumes of the Supreme Court Reports, have been received from the Reporter, and distributed in accordance with the law.

The Journals of the Ninth Session of the Legislature have also been distributed as required by law.

Heretofore, the enrolled copies of the Statutes have been kept loose in cases—liable at any time to be mislaid, lost, or stolen. I have had them carefully arranged in their proper order and bound in good and substantial binding.

The Executive Record of this office having been found to be incorrect in many instances, not having been fully posted for four years, and also being very inconveniently arranged, I have had a new one written up, containing, so far as could be obtained, from the books of this office, and other reliable sources, a correct record of the transactions of the Executive Department from the organization of the State government to the present time—a work requiring no little labor: two clerks having been employed upon it for nearly, or quite, two months. And I would respectfully recommend that some legislative action be had relative to making it the official record of this office. I have also had a copy of the "State-Prison Register and Description List" made for the use of this office.

By direction of the Board of Directors of the Library, I forwarded to the purchasing agent in New York City, on the 19th of November, twenty-five hundred dollars, (\$2500,) less exchange, to be expended in purchasing another invoice of books.

The amount paid into the Library Fund by me since I have had charge of this office, is eighteen hundred and fourteen dollars and fifty cents, (\$1814 15,) and there is now on hand, to be paid in at the end of the quarter, four hundred and fifty dollars (\$450.)

The issuance of certificates for the purchase of Swamp and Overflowed Lands having been transferred by law to the State Land Office, the fees received therefor, are not, as heretofore, paid into the Library Fund; yet, notwithstanding this decrease in the sources, the amount received into the Library Fund this year will not be much less than the amount received during the preceding year.

I beg leave to extract the following recommendation from the report of my predecessor, and endorse the same: "In our efforts to build up a Library which will be creditable to the State, and valuable to literary and scientific men, as well as to legislators and statesmen, it is a matter of high moment that we adopt all practicable methods of making accessions to our stock of books. As one means which would probably result in valuable additions, I would suggest the propriety of some legislative action relative to international exchanges. By this means we could obtain, without cost, the laws and public documents of other nations, and perhaps many rare, curious, and interesting works."

I would also recommend that legislative action be had relative to furnishing the Public Libraries, in the respective Counties of this State, with copies of the Senate and Assembly Journals, with accompanying Appendixes, of the past sessions of the Legislature of this State; also, with copies of the Debates in Convention—as there are nearly five thousand copies of the Journals and Debates in the Library at the present time. There are, in all, 19,185 volumes in the Library, comprising as follows:

| WORKS.                                                            | On hand<br>Jan'y, 1858. | Accessions by<br>Purchase. | Accessions by<br>Interchange. | Total. |
|-------------------------------------------------------------------|-------------------------|----------------------------|-------------------------------|--------|
| Law Reports.....                                                  | 1,597                   | 242                        | 56                            | 1,895  |
| Treatises.....                                                    | 1,024                   | 116                        | .....                         | 1,140  |
| Trials .....                                                      | 50                      | 2                          | .....                         | 52     |
| French and Spanish Law Works.                                     | 361                     | .....                      | .....                         | 361    |
| United States and Foreign Stat-<br>ute Laws.....                  | 351                     | .....                      | 40                            | 391    |
| State Papers.....                                                 | 794                     | .....                      | 287                           | 1,081  |
| Miscellaneous .....                                               | 1,780                   | 1,361                      | .....                         | 3,141  |
| Laws, 1850.....                                                   | 6                       | .....                      | .....                         | 6      |
| Laws, 1851.....                                                   | 97                      | .....                      | .....                         | 97     |
| Laws, 1852.....                                                   | 2                       | .....                      | .....                         | 2      |
| Laws, 1853.....                                                   | 14                      | .....                      | .....                         | 14     |
| Laws, 1854 (English).....                                         | 1,064                   | .....                      | .....                         | 1,199  |
| Laws, 1854 (Spanish).....                                         |                         | 135                        | .....                         |        |
| Laws, 1855 (English).....                                         |                         | 298                        | .....                         |        |
| Laws, 1855 (Spanish).....                                         |                         | 263                        | .....                         |        |
| Laws, 1856 (English).....                                         | 688                     | .....                      | .....                         | 897    |
| Laws, 1856 (Spanish).....                                         |                         | 209                        | .....                         |        |
| Laws, 1857 (English).....                                         |                         | 662                        | .....                         |        |
| Laws, 1857 (Spanish).....                                         |                         | 218                        | .....                         |        |
| Laws, 1858 (English).....                                         | 406                     | .....                      | .....                         | 711    |
| Laws, 1858 (Spanish).....                                         |                         | 305                        | .....                         |        |
| Compiled Laws.....                                                | 19                      | .....                      | .....                         | 19     |
| Debates in Convention, Califor-<br>nia, (English).....            | 450                     | }                          | .....                         | 717    |
| Debates in Convention, Califor-<br>nia (Spanish).....             | 267                     |                            | .....                         |        |
| California Practice Act.....                                      | .....                   | 10                         | .....                         | 10     |
| Wood's Digest.....                                                | .....                   | 184                        | .....                         | 184    |
| California Supreme Court Re-<br>ports, Vol. 1.....                | .....                   | .....                      | .....                         | 2      |
| California Supreme Court Re-<br>ports, Vol. 2.....                | .....                   | .....                      | .....                         | 3      |
| California Supreme Court Re-<br>ports, Vol. 3.....                | .....                   | .....                      | .....                         | 2      |
| California Supreme Court Re-<br>ports, Vol. 4.....                | .....                   | .....                      | .....                         | 7      |
| California Supreme Court Re-<br>ports, Vol. 5.....                | .....                   | .....                      | .....                         | 44     |
| California Supreme Court Re-<br>ports, Vol. 6 .....               | .....                   | .....                      | .....                         | 110    |
| California Supreme Court Re-<br>ports, Vol. 7.....                | .....                   | .....                      | .....                         | 112    |
| California Supreme Court Re-<br>ports, Vol. 8.....                | .....                   | .....                      | .....                         | 50     |
| California Supreme Court Re-<br>ports, Vol. 9.....                | .....                   | .....                      | .....                         | 5      |
| Journals of California Legisla-<br>ture, First Session, 1850..... | .....                   | .....                      | .....                         | 305    |



| WORKS.                                                              | On hand<br>Jan'y, 1858. | Accessions by<br>Purchase. | Accessions by<br>Interchange. | Total. |
|---------------------------------------------------------------------|-------------------------|----------------------------|-------------------------------|--------|
| Journals of California Legisla-<br>ture, Second Session, 1851...    |                         |                            |                               | 382    |
| Journals of California Legisla-<br>ture, Third Session, 1852.....   |                         |                            |                               | 201    |
| Journals of California Legisla-<br>ture, Fourth Session, 1853.....  |                         |                            |                               | 328    |
| Journals of California Legisla-<br>ture, Fifth Session, 1854.....   |                         |                            |                               | 537    |
| Journals of California Legisla-<br>ture, Sixth Session, 1855.....   |                         |                            |                               | 792    |
| Journals of California Legisla-<br>ture, Seventh Session, 1856..... |                         |                            |                               | 1,323  |
| Journals of California Legisla-<br>ture, Eighth Session, 1857.....  |                         |                            |                               | 377    |
| Journals of California Legisla-<br>ture, Ninth Session, 1858.....   |                         |                            |                               | 735    |
| Duplicates of all kinds.....                                        |                         |                            |                               | 512    |
| Total Works.....                                                    |                         |                            |                               | 19,185 |

### RECAPITULATION.

| Works.                                                                                                                                                                                                      | Volumes        |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|
| Total number Law Reports, Treatises, Trials, Miscellaneous, etc.,<br>Statutes of California, (English and Spanish,) Debates in Convention,<br>(English and Spanish,) Compiled Laws, Wood's Digest, etc..... | 8,061<br>5,297 |
| California Supreme Court Reports.....                                                                                                                                                                       | 335            |
| Journals California Legislature.....                                                                                                                                                                        | 4,980          |
| Duplicates of all kinds.....                                                                                                                                                                                | 512            |
| Total Volumes of all kinds.....                                                                                                                                                                             | 19,185         |

By law, it is made my duty to purchase stationery, fuel, lights, etc., for the use of the Legislature, and also to place the State-House in proper repair for their meeting. I have made partial purchases of fuel and stationery, but not sufficient for that purpose, and repairs are now being made, all of which will be completed before the meeting of the Legislature, and will be reported at the earliest time practicable.

All of which is respectfully submitted.

FERRIS FORMAN,

Secretary of State.





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ANNUAL REPORT

OF

THE STATE REGISTRAR,

FOR

THE YEAR 1858.

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JOHN O'MEARA, STATE PRINTER.



# ANNUAL REPORT.

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OFFICE OF THE CALIFORNIA STATE REGISTRAR, }  
December 20, 1858.

To His Excellency,

JOHN B. WELLER,

*Governor of the State of California :*

In accordance with the provisions of the Act, passed by the Legislature of California on the twenty-sixth of April, 1858, "Providing for the Registration of Marriages, Births, Divorces, and Deaths, in California," I have the honor to transmit to you the following Report, embodying such facts, statistics, and observations, as have occurred within the province of the Office of State Registrar during the period of the eight months that I have held that position.

Upon receiving this appointment at your hands, I set diligently to work to endeavor to make the entire population of the State as speedily and thoroughly acquainted with its provisions and requirements as lay in my power. At my personal solicitation, either the entire law, or an abstract embodying its material points, was published in a majority of the newspapers of the State. In addition, I procured the printing of a large number of extra copies of the Registration Act, which, together with circulars embodying its provisions and requirements, I have distributed throughout the State at large to such parties as were directly interested in the matter.

Notwithstanding I have resorted to these and every other means within my power, to procure the observance of the Registration Act, except the direct infliction of the penalty embodied in the Act itself, for a failure to comply with its requirements—the law has been but partially complied with. Out of the forty-five Counties of the State, but twenty-three\* have furnished duplicate Registrations of Marriages, Births, Divorces, and Deaths, to this office, and in many of these the returns have been so few in number as to be of little value. From the limited data furnished me, however, I have collated and compiled the accompanying tabular statistics as fully and accurately as possible.

During the period which has intervened since my appointment, I have

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\* Since the transmission of this Report, returns have been made from several additional Counties, but not in time to be included in its details.

devoted considerable time and attention to the study of the subject of Registration, and such collateral matters as have either a direct or remote bearing upon it. I find, upon investigating the subject thoroughly, that Registration Laws, similar in their provisions, exist in all the civilized and enlightened states of Europe, as well as a large number of those of our own Union. The importance of a law of this kind, compelling, and keeping among the archives of the State, a full and correct record of Marriages, Births, Divorces, and Deaths, involving, as they do, the most important interests incident to humanity, must be apparent to all. Especially in our own State, with its large class of fluctuating, transient, migratory, and restless population—where so many truly lead an unsettled life, and where man, too, knows so little of the history and antecedents of his fellow-man,—where so few family records are really kept, and those but loosely, and liable to destruction, the necessity of a law of this kind carries the fullest conviction on its face.

To the political economist and statesman the statistical information afforded by a full and correct registration is of the utmost value, embodying, as it does, a statement of facts comprising all the relations of man in health and disease,—the increase of the population of a country,—its vital and mortuary statistics—its climatology, and the class and character of its prevailing diseases. Meagre and comparatively unsatisfactory as are the statistics of Births and Deaths furnished by those Counties of this State where the law has been even but partially observed, during the few months of its existence, they most conclusively prove that California is at once the most healthy and the most prolific country in the world. While accidental and violent deaths may be more numerous than in some other countries, a careful comparison of our own with the vital and mortuary statistics of other regions will show that disease is much less frequent and violent in California than in any similar area of territory in the world. Possessed of almost every variety of soil and climate, and endowed with an animal, vegetable, and mineral kingdom, nowhere surpassed on the face of the earth, it is not surprising that this should be so. These facts go to show that no country offers greater inducements to the invalid and valetudinarian to recover their lost health, or the hardy and industrious emigrant to seek a home, than the State of California.

Upon tracing the history of Registrations in European and other States, I find the practice is of very ancient origin—dating back even to the early inhabitants of Asia and Africa, where it is shown by antiquarian research that the most enlightened and polished nations of those countries kept such Registries as have been adopted in more modern times. The practice was also continued among the Greeks and Romans, who were fully aware of the benefits and advantages of a system so essential to the preservation of their history.

The earliest continuous Registry of Marriages, Births and Deaths, is said to be that of the City of Geneva, in Switzerland—a government in which, owing to its perfect and thorough system of registrations, the genealogy, history, personal identification, and domestic relations of its citizens, may be traced back for centuries. A careful and correct registration has been kept in Geneva as far back as the year 1549, and it has been well said that, “This city, which has attained to a high degree of refinement, furnishes, in the improvement, in the progression of its population, and increased duration of life, a striking evidence in favor of the adoption of this system.”

The Registration Systems of England and France are also scrupulously

exact in their details and operations, and the means for their thorough enforcement, of the most stringent character. In France the registration of births, within a certain specified time, by the parents, in the district where they occur, is held to be *prima facie* evidence in the Courts of that Kingdom, and a decisive test, of the legitimacy of the child.

Being desirous of procuring the last Annual Report of the Registrar-General of England—one of the most valuable statistical publications of that Government—embracing a volume of several hundred pages, and undoubtedly the fullest and most perfect work of the kind extant, I some time since addressed a letter direct to that Officer, as well as another to the State Department at Washington, requesting a copy of the same. Owing to the want of time for a return to my request, I regret that I am unable to avail myself of the important facts this document contains, and to embody them in a condensed form in this Report.

In the United States, the Registration system was first inaugurated in the Commonwealth of Massachusetts, which adopted a system modeled after that which had been perfected in England, the general outlines and provisions of which are similar to those embodied in the Law adopted in our own State. Similar Acts were afterwards passed by the Legislatures of New York, New Jersey, New Hampshire, Connecticut, Pennsylvania, Virginia, Kentucky, South Carolina, Rhode Island, and other States of the Union, where the system has been reduced to successful operation, and its benefits made fully apparent to every intelligent citizen. The Annual Reports of the States where this Law exists contain much valuable statistical and other information. Those issued by the State of Massachusetts during the past few years contain over three hundred pages of closely printed matter, consisting mostly of important statistical tables.

That a Registration Law in California, if fully complied with, would furnish a large amount of valuable statistics and other matter of interest to a great number of people at home and abroad, is a fact so patent that it will not for a moment admit of argument; yet without the co-operation of the people, whose interests are so intimately and directly concerned in this matter, and unless such Law is generally observed, it is virtually of no practical value to the State, and certainly of no pecuniary benefit to the officers engaged in its execution, as I can myself sufficiently attest. Although I have industriously attended to the duties of the office devolving upon me, and have resorted to every means in my power to procure its observance, without rendering its provisions harsh or oppressive, this has thus far been the case. I must beg to state, however, in this connection, that this office has been the means of furnishing information to parties abroad, who have long made diligent inquiry concerning their deceased and missing friends in California; and in order to render this department of still greater efficiency, the Postmasters of the principal Cities of our State have, at my request, furnished me for several months past such letters of inquiry addressed to them, by parties from abroad, asking information concerning their missing friends in this State, which I have carefully filed in this office. With the same view I have cut out and preserved in a permanent form, all such advertisements and newspaper paragraphs of a similar nature as have come under my supervision during the time I have held this position.

In the absence of anything like full Registrations of Marriages, Births, Divorces, and Deaths, in California, I have also preserved, in similar form, the newspaper records of these events, published throughout the State.



It may not be out of place to remark, in this connection, that upon entering upon the duties of the office of Registrar, I procured as full and perfect a list of the clergy of California, both Protestant and Catholic, authorized to solemnize marriages, as was possible. To all of these I forwarded, by mail, a circular, giving the substance of the Registration Law. While a large majority of the former have complied with the Law regulating the Registration of Marriages, a number of instances have come to my knowledge where parties thus notified have sought to evade the law, or utterly neglected to comply with its provisions. On the other hand, the Catholic clergy throughout the State have, as far as I have been able to learn, complied with the Registration Act to its strictest letter.

While I have performed a large amount of this and other kinds of labor, connected with the office of State Registrar, the emoluments of the same, which numerous presses and outside parties have estimated at an inordinate sum, per annum, have amounted to what is equivalent to *just nothing at all!* For simply adhering to the duties of my office, and obeying my oath, I have been the subject of much newspaper as well as personal abuse; and, in answer to courteous official letters and circulars, I have received replies of the most offensive character, from parties from whose position I had been led to expect better things. But as you, Sir, have well remarked, upon another occasion, "The public officer who expects to escape detraction in this State, knows nothing of our people."

With my thanks for the mark of your confidence and regard, evinced in the bestowal of this position upon me, allow me to say, in conclusion, that if the Registration Law can not be so amended, by the next Legislature, as to render it, as in the other States of the Union, and of Europe, where it exists, an important Bureau of Statistics, and of valuable information to the public, as well as to afford an adequate, or at least decent compensation, to the parties engaged in its faithful administration, which I think might be done without difficulty, *I herewith recommend its unconditional repeal.*

All of which is respectfully submitted.

EDWIN R. CAMPBELL,

State Registrar.

# TABULAR STATEMENTS.





| COUNTIES.          | MARRIAGES. |           |      |        | BIRTHS. |      |      |           |     |        | DIVORCES. |     | DEATHS.                                                     |     |      |     |           |     |        |      |    |    |
|--------------------|------------|-----------|------|--------|---------|------|------|-----------|-----|--------|-----------|-----|-------------------------------------------------------------|-----|------|-----|-----------|-----|--------|------|----|----|
|                    | No.        | NATIVITY. |      | COLOR. | No.     | SEX. |      | PARENT'S. |     | COLOR. |           | No. | Grounds.                                                    | No. | SEX. |     | NATIVITY. |     | COLOR. |      |    |    |
|                    |            | Am.       | For. |        |         | W.   | Chi. | M.        | F.  | Am.    | For.      |     |                                                             |     | W.   | B.  | M.        | F.  | Am.    | For. | W. | B. |
|                    |            |           |      |        |         |      |      |           |     |        |           |     |                                                             |     |      |     |           |     |        |      |    |    |
| Alameda.....       | 6          | 6         | 6    | 12     |         |      |      |           |     |        |           |     |                                                             | 2   | 2    |     |           |     | 1      | 1    |    |    |
| Contra Costa.....  | 9          | 5         | 1    | 18     | 6       | 3    | 4    | 1         | 6   |        |           |     | { Willful desertion of Def't.<br>{ Marriage obt'd by fraud. | 5   | 5    |     | 3         | 2   |        | 5    |    |    |
| Calaveras .....    | 17         | 24        | 7    | 34     | 5       | 4    | 1    | 9         | 1   | 5      |           |     |                                                             |     |      |     |           |     |        |      |    |    |
| Fresno .....       | 3          | 3         | 3    | 5      | 1       |      |      |           |     |        |           |     |                                                             |     |      |     |           |     |        |      |    |    |
| Humboldt .....     | 3          | 6         |      | 6      | 1       | 1    |      |           |     | 1      |           |     |                                                             |     |      |     |           |     |        |      |    |    |
| Monterey .....     |            |           |      |        |         |      |      |           |     |        |           |     |                                                             |     |      |     |           |     |        |      |    |    |
| Mariposa .....     | 5          | 4         | 1    | 10     | 7       | 1    | 6    | 4         | 2   | 6      | 1         |     |                                                             | 4   |      |     | 3         | 1   | 3      | 1    |    |    |
| Napa .....         | 8          | 11        | 1    | 16     | 8       | 4    | 4    | 14        | 8   |        |           |     |                                                             |     |      |     |           |     |        |      |    |    |
| San Francisco..... | 281        | 148       | 303  | 554    | 46      | 29   | 20   | 29        | 27  | 46     |           |     |                                                             | 554 | 318  | 28  | 192       | 347 | 527    | 27   |    |    |
| Sacramento .....   | 106        | 101       | 80   | 208    | 31      | 16   | 17   | 42        | 20  | 31     |           |     |                                                             | 123 | 75   | 49  | 87        | 36  | 119    | 4    |    |    |
| San Joaquin.....   | 29         | 36        | 5    | 58     | 5       | 3    | 2    | 6         | 4   | 5      |           |     |                                                             | 38  | 21   | 17  | 28        | 8   | 34     | 4    |    |    |
| Santa Clara.....   | 9          | 4         | 10   | 18     | 4       | 5    | 4    | 1         | 5   | 5      |           |     |                                                             | 5   | 4    | 1   | 4         | 1   |        | 5    |    |    |
| San Diego.....     | 3          | 3         | 3    | 6      | 2       | 2    | 2    | 3         | 1   | 2      |           |     |                                                             |     |      |     |           |     |        |      |    |    |
| San Mateo.....     | 3          | 1         | 1    | 6      | 1       | 1    |      |           |     | 1      |           |     |                                                             |     |      |     |           |     |        |      |    |    |
| Santa Cruz.....    | 12         | 17        | 5    | 24     | 6       | 4    | 2    | 2         | 3   | 6      |           |     |                                                             |     |      |     |           |     |        |      |    |    |
| Solano.....        | 8          | 5         | 4    | 16     |         |      |      |           |     |        |           |     |                                                             |     |      |     |           |     |        |      |    |    |
| Sonoma.....        | 16         | 17        | 5    | 32     | 5       | 2    | 3    | 8         | 5   |        |           |     |                                                             |     |      |     |           |     |        |      |    |    |
| Tehama .....       | 2          |           |      | 4      | 2       | 2    |      | 1         | 2   |        |           |     |                                                             |     |      |     |           |     |        |      |    |    |
| Tuolumne .....     | 18         | 24        | 24   | 36     | 11      | 9    | 2    | 10        | 8   | 11     |           |     | 1 Adultery and Drunkenness.                                 | 37  | 32   | 5   | 12        | 25  |        | 2    |    |    |
| Los Angeles.....   | 45         | 44        | 24   | 90     |         |      |      |           |     |        |           |     |                                                             |     | 2    | 2   |           | 1   | 1      | 1    | 1  |    |
| Placer .....       | 12         | 18        | 4    | 24     | 3       |      | 3    | 2         | 4   | 3      |           |     |                                                             | 1   | 1    |     |           |     |        |      |    |    |
| Totals .....       | 595        | 476       | 491  | 1197   | 13      | 144  | 82   | 64        | 134 | 73     | 143       | 1   | 3                                                           | 771 | 460  | 100 | 330       | 421 | 697    | 17   |    |    |

## RECAPITULATION.

|                   |       |
|-------------------|-------|
| Marrriages.....   | 595   |
| Births.....       | 144   |
| Divorces.....     | 3     |
| Deaths.....       | 771   |
| Whole Number..... | 1,503 |

NOTE.—If there have been any Registrations made in the remaining Counties of the State, since the passage of the Act providing for the Registration of Marriages, Births, Divorces, and Deaths, in California, the Recorders of those Counties, although repeatedly requested to do so, have failed, thus far, to return them to this Office, up to the date of this Report.



|                          |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |
|--------------------------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|
| Convulsions.....         | 1   | 4   | 1   | 2   | 1   | 1   | 6   | 1   | 1   | 1   | 1   | 1   | 5   | ... | 4   |
| Congestive Chills.....   | ... | ... | ... | ... | 1   | ... | 1   | 1   | ... | ... | ... | ... | 1   | ... | ... |
| Croup.....               | ... | ... | 1   | 2   | ... | ... | 1   | 1   | ... | ... | ... | ... | 2   | ... | ... |
| Cyanosis.....            | 1   | 1   | 3   | 2   | ... | ... | 3   | 1   | 1   | ... | 1   | ... | 5   | ... | 1   |
| Debility.....            | 1   | 2   | 3   | ... | ... | ... | 2   | ... | 1   | ... | 1   | ... | 3   | 2   | 3   |
| Delirium Tremens.....    | ... | 2   | 3   | ... | 1   | ... | ... | ... | 2   | 1   | 1   | ... | 1   | 2   | 3   |
| Diarrhoea.....           | 6   | 3   | 8   | 3   | 1   | 2   | 8   | 2   | 1   | 2   | ... | 1   | 11  | 6   | 2   |
| Diphtheritis.....        | 3   | 1   | ... | ... | ... | ... | 3   | 1   | ... | ... | ... | ... | 4   | ... | 4   |
| Dropsy.....              | 1   | 1   | 2   | 1   | ... | 1   | 2   | ... | ... | 2   | 2   | ... | 2   | 1   | 2   |
| Drowned.....             | 5   | 1   | 4   | ... | ... | ... | 1   | 9   | ... | 1   | 1   | 1   | 1   | 5   | 1   |
| Dysentery.....           | 1   | 2   | 10  | 3   | 1   | ... | 6   | 11  | 2   | 9   | 1   | 1   | 9   | 4   | 1   |
| Encephalitis.....        | ... | 1   | 1   | ... | ... | ... | 1   | 1   | 1   | 1   | ... | ... | ... | 1   | 1   |
| Enteritis.....           | 3   | 1   | 2   | 1   | ... | ... | 4   | 3   | ... | 1   | 1   | 2   | ... | 4   | 1   |
| Erysipelas.....          | ... | 2   | ... | 1   | ... | ... | 1   | 2   | 1   | 1   | 1   | ... | ... | 1   | 2   |
| Fever.....               | ... | 2   | 4   | ... | ... | ... | 1   | 3   | 1   | 1   | 1   | 1   | 1   | 1   | 3   |
| Fever, Intermittent..... | ... | 1   | 1   | ... | ... | ... | 1   | 1   | ... | 1   | ... | ... | 1   | ... | 1   |
| Fever, Congestive.....   | ... | ... | ... | 1   | ... | ... | ... | 1   | ... | ... | ... | ... | ... | ... | ... |
| Fever, Puerperal.....    | 1   | 1   | 4   | 9   | 1   | 1   | 7   | 10  | 2   | 1   | 6   | 3   | 2   | 2   | 1   |
| Fever, Typhoid.....      | 1   | 2   | 3   | ... | ... | ... | 6   | ... | 2   | ... | 2   | 1   | 1   | 1   | 2   |
| Gastritis.....           | 2   | 1   | ... | ... | ... | ... | ... | 1   | ... | ... | ... | 1   | ... | ... | 1   |
| General Derangement..... | ... | ... | ... | 3   | 2   | ... | 3   | 4   | ... | ... | 2   | 1   | 1   | 1   | ... |
| Heart, Disease of.....   | 1   | ... | ... | ... | ... | ... | 1   | ... | 1   | ... | ... | ... | 1   | 5   | 1   |
| Hemorrhage.....          | ... | 1   | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | 1   | ... | ... |
| Hemiplegia.....          | 1   | ... | ... | ... | ... | ... | ... | 1   | ... | ... | ... | ... | 1   | ... | ... |
| Hydrocephalus.....       | 1   | 2   | ... | 1   | ... | ... | 4   | ... | ... | ... | ... | ... | 4   | ... | ... |
| Inanition.....           | 1   | ... | 1   | ... | ... | ... | 2   | ... | 1   | ... | ... | ... | 2   | ... | ... |
| Icterus.....             | ... | ... | ... | ... | 1   | ... | 1   | 1   | ... | ... | ... | ... | 1   | ... | ... |
| Intemperance.....        | 1   | 2   | ... | ... | ... | ... | 1   | 2   | ... | ... | 2   | 1   | ... | 2   | 1   |
| Kidneys, Disease of..... | ... | 1   | 1   | ... | 1   | ... | ... | 2   | ... | 2   | ... | ... | ... | 1   | 1   |
| Liver, Disease of.....   | ... | 1   | ... | ... | ... | ... | ... | ... | ... | 1   | ... | ... | ... | ... | 1   |
| Lungs, Disease of.....   | 2   | 6   | 3   | 3   | ... | 1   | 8   | 7   | 3   | 2   | ... | 7   | 2   | 1   | 3   |
| Meningitis.....          | ... | 1   | 1   | ... | ... | ... | 1   | 1   | 1   | 1   | ... | ... | ... | 5   | 1   |
| Marasmus.....            | 1   | 2   | 7   | 5   | 4   | ... | 10  | 9   | ... | 7   | 2   | 1   | ... | 15  | 1   |







## NATIVITIES.

*The following is a List of the Nativities represented in the foregoing Registration of Deaths, taking San Francisco, which is by far the most full in number and details, as the basis :*

| United and North American States. | European.         | South and Central America and West Indies. | Asiatic.    |
|-----------------------------------|-------------------|--------------------------------------------|-------------|
| Alabama .....                     | Brittany .....    | Chile .....                                | China ..... |
| California .....                  | Denmark .....     | Central America..                          | Syria ..... |
| Georgia .....                     | England .....     | Contra Costa .....                         | .....       |
| Indiana .....                     | France .....      | Caraccas .....                             | .....       |
| Kentucky .....                    | Germany .....     | Jamaica .....                              | .....       |
| Louisiana .....                   | Greece .....      | Mexico .....                               | .....       |
| Maryland .....                    | Holland .....     | Panama, N. G. ....                         | .....       |
| Massachusetts .....               | Ireland .....     | Rio Janeiro .....                          | .....       |
| Maine .....                       | Italy .....       | St. Domingo .....                          | .....       |
| New York .....                    | Norway .....      | .....                                      | .....       |
| New Jersey .....                  | Sweden .....      | .....                                      | .....       |
| New Hampshire .....               | Switzerland ..... | .....                                      | .....       |
| Ohio .....                        | Scotland .....    | .....                                      | .....       |
| Pennsylvania .....                | Spain .....       | .....                                      | .....       |
| Rhode Island .....                | .....             | .....                                      | .....       |
| South Carolina .....              | .....             | .....                                      | .....       |
| Virginia .....                    | .....             | .....                                      | .....       |
| Wisconsin .....                   | .....             | .....                                      | .....       |
| Canada .....                      | .....             | .....                                      | .....       |
| Nova Scotia .....                 | .....             | .....                                      | .....       |

## REMARKS

*Upon the foregoing Tabular Statements of Marriages and Deaths.*

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Beyond occasional strongly marked discrepancies in the ages of the parties—such as the wedding of *Fifty to Fifteen*, or “a union of Winter and Spring”—the Registration of Marriages presents no anomaly, with the single exception of a union of the Mongolian and Caucasian types of mankind, in the marriage of a male representative of the Teutonic to a female of the Asiatic—a German in a Southern County having been joined in wedlock to a China woman. What the result of this union will be, I leave to abler ethnologists and savans than myself to determine.

To the medical, and other learned professions, the foregoing Report of Deaths, with the accompanying facts and statistics—meagre and imperfect, and accompanied by errors unavoidable in the labor of compiling and arranging them, as they are—can not fail to be of the deepest interest. To the statistician and statesman, as well, they are pregnant with facts of the utmost importance, which must increase in value, as these Registrations are continued, from year to year. To the prosecutor of medical and physiological research, especially in the investigation of disease in its multiform shapes, and in the discovery and application of new remedies, California offers a field to be found nowhere else in the world. The same may be said of the extensive and varied surgical practice of the State.

I regret that the *emoluments* of the office of State Registrar—whatever of *honor* may attach to the same—during the eight months of its existence, have been comparatively so insignificant as to preclude my availing myself of any outside aid, or professional assistance, so desirable in the preparation of the foregoing Tabular Statements, as contemplated by the Law. They are solely the results of my own labors, and I alone am responsible for their imperfections, and the unavoidable errors they may contain. In the preparation of the foregoing tables, I have studiously avoided technicalities in names of diseases, further than was absolutely necessary—discarding tautology, and endeavoring to condense the medical synonyms used in Registration into as brief and comprehensive a space as practicable, without marring the symmetry and usefulness of the whole. Many of the terms given in the original entries are extremely vague and indefinite, and there are some used in designating the “Causes of Death,” that may be set down as entirely original, and new to the medical profession. A few of these are: “Effect of Jiggers,” “Evil in the Bladder,” “Widriss Clriden,” “Teusis,” etc. But one case of “Strangulation” is reported, although numerous and well-known instances have occurred since the passage of the Law, yet no Registrations have been made of the same. Although such cases are not rare—the native California patriarchs living to a great age, and eventually dying from the clogging and wearing out of nature’s machinery—yet but one case of “Death from Old Age,” it will be seen, is reported: that of Mons. Louis Lauriat, well known to the people of this Union as among the first, if not the first, Aeronaut that ascended in a balloon in the United States. This truly scientific old man, whose venerable form was familiar to the citi-

zens of Sacramento, perambulating the streets, went off in August last, at the advanced age of ninety-two years.

It will be seen, from the foregoing list, that the most numerous among the Causes of Death is "Consumption." The greater number of the deaths recorded among the Chinese are attributable to this disease. This is, perhaps, owing somewhat to the difference in climate, but more attributable to this race living, in many cases, in damp, ill-ventilated, and, in a great number of instances, in underground tenements. Several deaths from Consumption among the California Indians, adopted into families and inducted into the customs of civilization, are among those reported. Enough is known to render the fact indisputable, that the moment Digger children are taken from their native clover-pastures, their diet of grasshoppers, acorns, and similar "chemuck," and transferred from their tule or dirt huts, away from the vicinity of their sweat-houses, and invested with the clothing of the civilized portion of mankind, or, in fact, submitted to the manners, customs, and mode of living of the white race, they are invariably booked for this fatal complaint—an insuperable barrier to all attempts at civilizing or Christianizing this doomed and devoted race.

Deaths from accident, owing to the nature of the employments of our people, in hazardous mining and other operations, are perhaps more numerous than in any other country; and those from violence are perhaps no less so. In one of the most populous mountain counties of the State, the number of Deaths registered since the passage of this Law is forty-two; and of this number twenty are set down to accident and violence.

It is to be regretted, for very many reasons, that the entire State has not fully complied with the requisitions of the Registration Law—although the list of Counties has increased since my Report was prepared. San Francisco being the only County that has, perhaps, fully complied with the Law regulating the Registration of Deaths—a record in the City, by the attendant Physician, being a wise sanitary municipal regulation—it was my desire to have prepared the Mortuary Statistics of that County entire, but time, and want of adequate facilities, have prevented.

Next in order, in point of fullness, are the records of Deaths in Sacramento.

In conclusion, although this position has been of no pecuniary benefit to the State Registrar, but, on the contrary, a dead loss of time and labor I trust that the facts and statistics I have embodied in this Report will be of some benefit to the State and its people.

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ANNUAL REPORT

OF THE

Trustees of the Insane Asylum,

FOR

THE YEAR 1858.

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JOHN O'MEARA.....STATE-PRINTER.

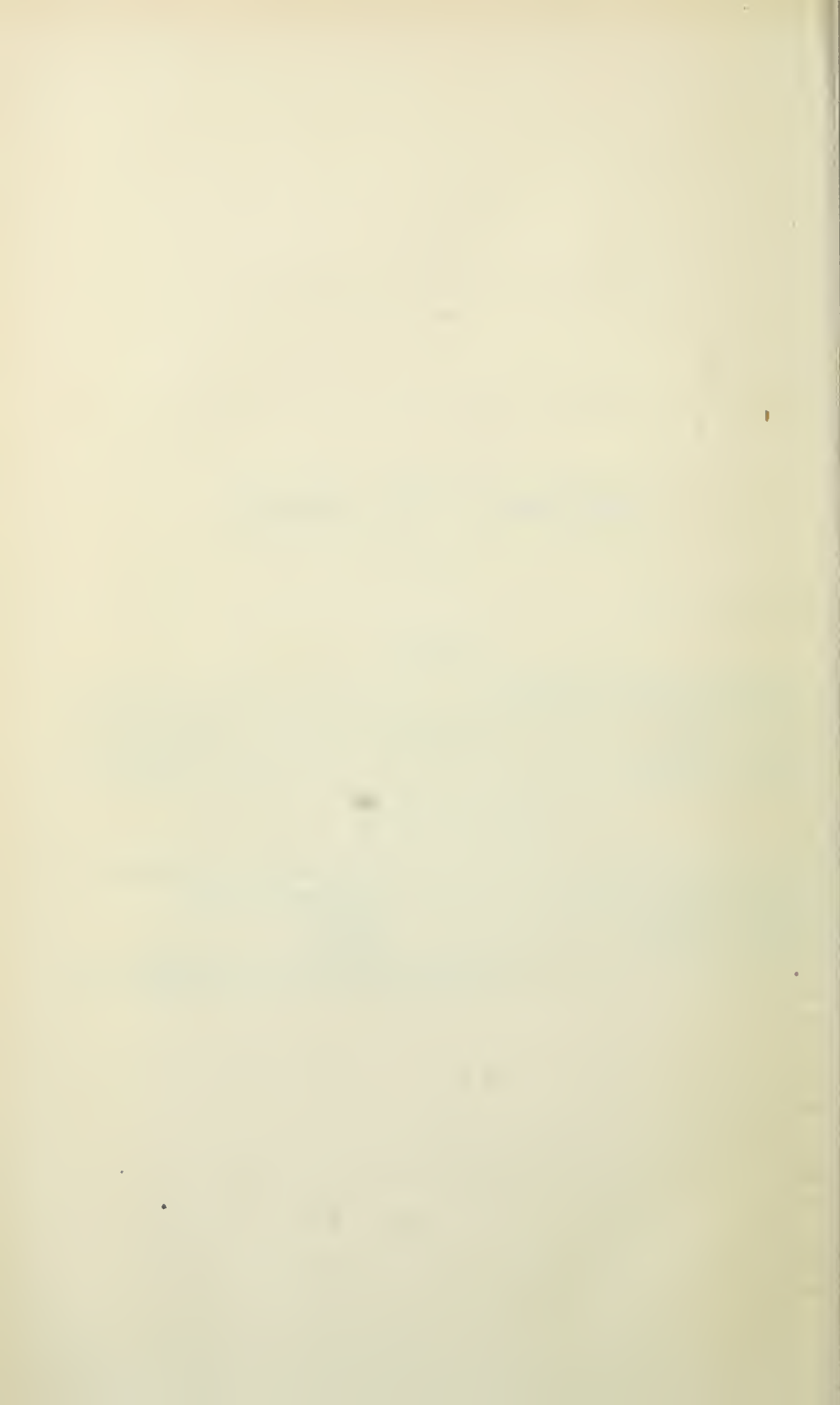
OFFICERS OF THE ASYLUM.

TRUSTEES :

P. Edward Connor, President.....	Stockton.
H. T. Huggins.....	Stockton.
W. H. Lyons.....	Stockton.
Andrew Lester.....	Stockton.
Thomas Marshall.....	Stockton.

RESIDENT OFFICERS :

W. D. Aylett, M. D.....	Superintendent and Physician.
Thomas Kendall, M. D.....	Assistant Physician.
William Gravatt.....	Steward.
Mrs. M. J. Healy.....	Matron.
H. T. Compton.....	Treasurer and Secretary.



ANNUAL REPORT

OF

THE TRUSTEES OF THE STATE INSANE ASYLUM,

For the Year ending Nov. 30th, 1858.

To His Excellency,

JOHN B. WELLER,

Governor of the State of California :

The Trustees of the State Insane Asylum have the honor to submit, in compliance with the statute, the Annual Report of the Resident-Physician, and therewith this, their own Report :

The annexed Exhibit, marked A, shows the amount of receipts and expenditures, for current expenses, since the last Annual Report. In addition thereto, there has been drawn from the State Treasury, under the Act of April 26, 1858, the sum of forty thousand dollars, which has been expended in the erection of additional buildings, and making other improvements, as required by the Act of appropriation.

The appropriation for current expenses, for the fiscal year commencing July 1, 1857, and ending June 30, 1858, amounting to only forty thousand dollars, was entirely inadequate to meet the wants of the institution. The Trustees, in their last Annual Report, called the attention of the Legislature to the subject, and recommended an appropriation to meet the anticipated deficiency.

The Legislature, though appropriating the sum of fifty-five thousand dollars, to defray the current expenses for the fiscal year commencing July 1, 1858, and ending June 30, 1859, neglected to provide for the anticipated deficiency.

The result was, that the fund appropriated for that year was exhausted soon after the adjournment of the Legislature, and supplies, in part, for the months of February and March, and entirely for the months of April and May, were purchased on credit.

Finding the credit of the Asylum exhausted, the Trustees were obliged to reserve the last monthly receipt out of the appropriation for that year, to meet the actual wants of the Institution, and the supplies for June were purchased with the cash thus reserved.

At the time of the last Annual Report, there was an outstanding indebtedness of sixteen thousand four hundred and eighty dollars and

twenty-one cents. The items composing that indebtedness, with the date when each was contracted and audited, were specified in a schedule annexed to the last Annual Report, to which we beg leave to refer your Excellency.

In that report, the Trustees urged upon the Legislature the necessity of making immediate provision for the payment of that indebtedness, but they failed to do so, and the same remains unpaid, with the exception of the bills for December, 1857, which have since been paid out of the appropriation for current expenses for that fiscal year.

We annex hereto a list of the present outstanding indebtedness of the Institution, in Schedule B. This includes the amount outstanding at the date of the last Annual Report, less the December bills, paid as above stated, and additional bills contracted during the months of February, March, April, and May—the appropriation for that fiscal year having been exhausted.

Since the commencement of the current fiscal year, beginning July 1, 1858, under the new system of issuing proposals and procuring supplies by contract, which went into effect August 1, the Institution has been able to keep within the appropriation for its monthly current expenses, though, owing to the great increase of Patients, (for particulars of which we refer your Excellency to the annexed Report of the Superintendent,) this has only been accomplished by the most rigid economy.

In view of that increase, constantly enlarging, we entirely concur with the Superintendent in the opinion that the amount appropriated (\$55,000) for the current expenses will be insufficient for the support of the Institution during the next year.

We take occasion to urge upon your Excellency, and through you upon the Legislature, the propriety of making provision for the payment of the outstanding indebtedness without further delay.

The several creditors have been too long kept out of their money.

The Trustees recommended the payment of the then indebtedness in their last Annual Report, with an increase of appropriation to avoid future indebtedness, which it was foreseen must accrue under the limited appropriation for that fiscal year.

Until the current fiscal year there has been a deficiency every year since the establishment of the Asylum. But, under the contract system, with cash payments, and a judicious appropriation, no new debts for current expenses have been, or need be contracted.

But we do ask, for the interest of the Institution, that these old debts, some dating as far back as 1856, shall no longer remain an incubus and a clog upon its operations.

Your Excellency will observe that many of the outstanding demands are in small amounts, not sufficient to warrant the holders to go to the expense of making the necessary proof under the rules adopted by the Board of Examiners. Can not these small accounts be provided for by the State without going through that process?

The liberal appropriation for improvements, made by the last Legislature, has been expended as directed by the Act of April 26, 1858, and has added greatly to the comfortable accommodation of the Patients.

In respect to the condition of the Asylum, after referring your Excellency to the accompanying full and able report of the Superintendent, we only deem it necessary to add that, under the faithful, careful, and vigilant superintendence of Dr. Aylett, the Institution has been placed upon a footing that will compare favorably with the best regulated Asylums in the older States.

In the medical and curative department, Dr. Aylett has been ably and faithfully seconded by Dr. Kendall, the Assistant Visiting Physician, whose constant and unremitting attention to the duties of his position merits this expression of our commendation.

On making a final settlement of the expenditures incurred, under the appropriation for improvements, it was found that the same had exceeded the amount appropriated, in the sum of one thousand two hundred and eighty-nine dollars, and twenty-nine cents, which represents a debt against the Asylum, for the liquidation of which an appropriation will be necessary.

The items of this amount, with the names of the parties to whom the same is due, respectively, are hereto annexed, in Schedule marked C.

All which is respectfully submitted.

P. EDW. CONNOR, President.	
H. T. HUGGINS.	
W. H. LYONS.	
ANDREW LESTER.	} Trustees
THOS. MARSHALL.	

STOCKTON, December 6, 1888.

[A]

Amount on hand January 1, 1858	\$382 74	
Amount drawn from State Treasury, on estimates, from January 1, 1857, to June 1, 1857	22,800 00	
Amount transferred from Improvement Fund	71 98	
Total receipts		\$23,254 72
Bills paid..	\$23,244 72	
Balance forward	10 00	
		\$23,254 72
July 1—Balance on hand	\$10 00	
Amount drawn from Treasury	23,083 66	
		\$23,093 66
Amount paid out and appropriated from said Fund, to Dec. 1..		22,904 95
Balance on hand		\$188 71
Total amount received from January 1, 1858, to December 1, 1858	\$46,338 38	
Total amount paid out	46,149 67	
Balance in Treasury		\$188 71

B].....*List of Accounts against the Insane Asylum of California remaining unpaid.*

Date of account	When audited.	In whose favor.	Amount.
1856.	1856.		
March 31...	April 7.....	Steamer Urilda, for transporting Patients	\$17 00
July 31.....	August 16..	E. S. Holden, Drngs.....	132 32
July 31.....	August 16..	Steamer Cornelia, transporting Patients	17 00
August 31..	Sept. 2	Webster & Waite, Crockery, etc.....	19 80
August 31..	Sept. 2	San Francisco Herald Newspaper.....	15 00
Sept. 30	October 1..	John Gross & Co., Bread.....	466 00
Sept. 30	October 1..	Webster & Waite, Crockery.....	4 25
October 31	Nov. 3.....	Tesky & Choate, Tinware.....	59 50
October 31	Nov. 3.....	J. Sarles, Milk	69 75
October 31	Nov. 3.....	Fox & O'Connor, Liquors.....	76 50
October 31	Nov. 3.....	Mills & Doll, Tinware	55 87
October 31	Nov. 3.....	John W. Whitney & Co., Lumber.....	60 28
October 31	Nov. 3.....	Sanders & Hickman, Hardware and Tin	202 39
October 31	Nov. 3.....	Hart & Derrick, Blacksmith-work	3 00
October 31	Nov. 3.....	I. F. Rosenbaum, Stationery, etc.....	55 50
October 31	Nov. 3.....	Luchsinger & Hubbard, Furniture	146 75
October 31	Nov. 3.....	Stockton Foundry, Castings.....	30 00
October 31	Nov. 3.....	John Gross & Co., Bread.....	412 14
Nov. 30.....	Dec. 3	Mark A. Evans, Hay	28 00
Nov. 30.....	Dec. 3	Wm. P. Shaw, Carpenter-work	5 00
Nov. 30.....	Dec. 3	Gove & Co., Groceries.....	31 00
Nov. 30.....	Dec. 3	Jos. Hale, Vegetables	11 96
Nov. 30.....	Dec. 3	Eldridge & Bro., Vegetables.....	139 20
Nov. 30.....	Dec. 3	Simpson & Gray, Lumber.....	15 15
Nov. 30.....	Dec. 3	Luchsinger & Hubbard, Furniture	61 00
Nov. 30.....	Dec. 3	Sanders & Hickman, Hardware and Tin	52 75
Nov. 30.....	Dec. 3	John Gross & Co., Bread	450 00
Nov. 30.....	Dec. 3	Marks & Bro., Clothing	92 77
Nov. 30.....	Dec. 3	C. O. Burton, Daily Papers.....	23 58
Nov. 30.....	Dec. 3	I. F. Rosenbaum, Magazines and Stationery	6 75
Nov. 30.....	Dec. 3	A. S. Gage, Paints and Oils	34 00
Nov. 30.....	Dec. 3	Fox & O'Connor, Liquors.....	57 50
Nov. 30.....	Dec. 3	B. Crozier, Vegetables	59 13
Nov. 30.....	Dec. 3	Kenny & Co., Crockery.....	23 50
Nov. 30.....	Dec. 3	I. Sarles, Milk.....	67 50
Nov. 30.....	Dec. 3	Hart & Derrick, Blacksmithing.....	8 25
Nov. 30.....	Dec. 3	Cohn & Co., Clothing.....	173 25
Nov. 30.....	Dec. 3	F. Morton, Drayage.....	2 00
Nov. 30.....	Dec. 3	El Dorado Stable, Horse-hire.....	4 00
	1857.		
Dec. 31.....	Feb. 3.....	Eldridge & Bro., Vegetables.....	146 21
Dec. 31.....	Feb. 3.....	Johnson & Reay, Carpenter's work....	66 00
Dec. 31.....	Feb. 3.....	E. Kalischu & Co., Clothing.....	5 00

Date of account	When audited.	In whose favor.	Amount.
1856.	1856.		
Dec. 31.....	Feb. 3.....	John Gross & Co., (State Bakery,) Bread	\$450 00
Dec. 31.....	Feb. 3.....	Sanders & Hickman, Hardware and Tinware	117 62
Dec. 31.....	Feb. 3.....	O. C. Gage, Oil	7 50
Dec. 31.....	Feb. 3.....	D. Cohn, Clothing.....	334 35
Dec. 31.....	Feb. 3.....	Fox & O'Connor, Liquors	28 00
Dec. 31.....	Feb. 3.....	Simpson & Gray, Lumber.....	115 71
Dec. 31.....	Feb. 3.....	L. Velhac, Vegetables.....	27 20
Dec. 31.....	Feb. 3.....	Kenney & Co., Crockery.....	9 00
Dec. 31.....	Feb. 3.....	I. F. Rosenbaum, Stationery, etc.....	17 75
Dec. 31.....	Feb. 3.....	I. M. Thorn, resturning escaped Patient	14 50
August 1 ..		H. M. Fanning, contract for removing and repairing Frame Building.....	700 00
		Amount contracted for before January, 1857.....	\$5,258 18
1857.	1857.		
January 31	Feb. 3.....	Hart & Derrick, Blacksmithing.....	4 50
January 31	Feb. 3.....	Webster & Waite, Crockery.....	18 00
January 31	Feb. 3.....	Gray & Hickman, Dry-goods.....	6 38
January 31	Feb. 3.....	R. K. Eastman, Lime.....	16 00
January 31	Feb. 3.....	Mr. Wagner, Mending Boots	2 50
January 31	Feb. 3.....	William Lord, Mason-work.....	15 00
January 31	Feb. 3.....	D. Cohn, Clothing.....	264 64
January 31	Feb. 3.....	Sanders & Hickman, Tin and Hardware	51 52
January 31	Feb. 3.....	William Ward, Meat.....	408 33
January 31	Feb. 3.....	John Gross & Co., State Bakery, Bread	450 00
January 31	Feb. 3.....	C. R. Bowen, Groceries.....	528 56
January 31	Feb. 3.....	Eldridge & Bro., Potatoes, etc.....	185 66
January 31	Feb. 3.....	Timothy Sliven, Plastering.....	15 00
January 31	Feb. 3.....	Charles S. Morris & Co., Clothing, etc.....	63 00
January 31	Feb. 3.....	Luchsinger & Hubbard, Furniture.....	99 33
January 31	Feb. 3.....	Fox & O'Connor, Liquors.....	49 00
January 31	Feb. 3.....	Simpson & Gray, Lumber.....	14 46
January 31	Feb. 3.....	Wm. Johnson, Whitewashing.....	20 00
January 31	Feb. 3.....	Bird & Co., Harness.....	22 00
January 31	Feb. 3.....	Nash & Beamis, Shoes.....	30 50
January 31	Feb. 3.....	I. F. Rosenbaum, Stationery.....	23 75
January 31	Feb. 3.....	Kenney & Co., Crockery.....	10 00
January 31	Feb. 3.....	L. Velhac, Vegetables	34 04
January 31	Feb. 3.....	S. P. Christy, Salary.....	100 00
January 31	Feb. 3.....	C. Benjamin, Salary.....	75 00
January 31	Feb. 3.....	Mrs. J. Benjamin, Salary.....	60 00
January 31	Feb. 3.....	Mr. Welch, Salary.....	75 00
January 31	Feb. 3.....	Mrs. Welch, Salary.....	40 00
January 31	Feb. 3.....	Frank, Salary.....	75 00

Date of account	When audited.	In whose favor.	Amount.
1857.	1857.		
January 31	Feb. 3.....	W. B. Clark, returning escaped Patient.....	\$10 00
January 31	Aug. 1.....	F. E. Corcoran, for services as Superintendent Building New Wing.....	1,200 00
		Contracted before February 1st, 1857..	\$9,227 35
October 31	Nov. 3.....	Mary Brady, Wages as Washerwoman	23 34
	Dec. 7	James R. Anthony & Co., Printing.....	33 75
	1858.		
Dec. 31	January 6..	Rosenbaum & Van Allen, Stationery...	4 00
	1858.		
January 31	Feb. 2.....	Rosenbaum & Van Allen, Stationery...	10 75
Feb. 28.....	March 2....	S. H. Debnam, Medicine.....	6 00
Feb. 28.....	March 2....	John Gross & Co., Bread.....	284 80
Feb. 28.....	March 2....	William Ward, Meat.....	321 68
Feb. 28.....	March 2....	Bisagno Brothers, Crockery.....	56 00
Feb. 28.....	March 2....	Fox & O'Connor, Liquors.....	16 25
Feb. 28.....	March 2....	Luchsinger & Hubbard, Furniture.....	25 25
Feb. 28.....	March 2....	E. O. Langley & Co., Drugs.....	70 77
Feb. 28.....	March 2....	J. R. Eddy, Clover-seed.....	7 25
Feb. 28.....	March 2....	M. L. Bird & Co., Saddlery.....	39 25
Feb. 28.....	March 2....	F. Depois, Vegetables.....	37 00
Feb. 28.....	March 2....	Wm. Teeter, Salary.....	60 00
Feb. 28.....	March 2....	F. W. Boucher, Salary.....	75 00
Feb. 28.....	March 2....	John Boyd, Salary.....	75 00
Feb. 28.....	March 2....	S. T. Szarvash, Salary.....	75 00
March 31...	April 8.....	Gray & Hickman, Dry-goods.....	77 37
March 31...	April 8.....	A. O. Gage & Co., Paints, etc.....	27 37
March 31...	April 8.....	J. B. Honche, Groceries.....	163 82
March 31...	April 8.....	Kierski & Bro., Stationery.....	30 25
March 31...	April 8.....	Luchsinger & Hubbard, Furniture.....	105 97
March 31...	April 8.....	C. P. Greenley & Co., Hardware.....	75 43
March 31...	April 8.....	Rosenbaum & Van Allen, Stationery...	28 75
March 31...	April 8.....	James Lawson, Chickens.....	16 62
March 31...	April 8.....	E. E. Kenney, Crockery.....	7 00
March 31...	April 8.....	Webster & Waite, Hardware.....	30 75
March 31...	April 8.....	T. Paige, Lumber.....	243 46
March 31...	April 8.....	Nash & Beamis, Oil, etc.....	124 05
March 31...	April 8.....	R. W. Noble, Butter.....	81 98
March 31...	April 8.....	Stockwell & Underhill, Dry-goods.....	68 52
March 31...	April 8.....	F. Depois & Co., Vegetables.....	39 05
March 31...	April 8.....	Mills & Doll, Tinware.....	116 23
March 31...	April 8.....	Selig & Bro., Tobacco.....	23 65
March 31...	April 8.....	Eldridge & Bro., Potatoes....	173 50
March 31...	April 8.....	M. L. Bird & Co., Saddlery.....	32 00
March 31...	April 8.....	M. L. Bird & Co., Saddlery.....	19 00
March 31...	April 8.....	J. W. Hart, Blacksmithing.....	9 00
March 31...	April 8.....	Simpson & Gray, Lumber.....	28 25
March 31...	April 8.....	E. O. Langley & Co., Drugs.....	33 25

Date of account	When audited.	In whose favor.	Amount.
1858.	1858.		
March 31...	April 8.....	Rolland & McCahill, Dry-goods.....	\$67 10
March 31...	April 8.....	D. J. Oulahan, Wood.....	70 00
March 31...	April 8.....	Post-Office	21 00
March 31...	April 8.....	J. Menges, Keys.....	3 00
March 31...	April 8.....	Bisagno Brothers, Crockery.....	13 25
March 31...	April 8.....	Wm. Ward, Meat.....	721 94
March 31...	April 8.....	Mrs. Libey & Son, Cabbage-plants.....	13 00
March 31...	April 8.....	W. V. Fisher, Milk.....	188 37
March 31...	April 8.....	Lot Day, Sand.....	7 00
March 31...	April 8.....	John Gross & Co., Bread.....	669 60
March 31...	April 8.....	V. P. Plotz.....	4 50
March 31...	April 8.....	P. E. Jordan.....	125 00
March 31...	April 8.....	Mrs. Haley	125 00
March 31...	April 8.....	Wm. Gravatt.....	100 00
March 31...	April 8.....	E. M. Botts.....	75 00
March 31...	April 8.....	J. W. Boucher.....	75 00
March 31...	April 8.....	Wm. Weekes.....	58 00
March 31...	April 8.....	Bartholomew Hayes.....	20 00
March 31...	April 8.....	Wm. Teeter.....	32 50
March 31...	April 8.....	John Boyd.....	75 00
March 31...	April 8.....	James Trainer.....	60 00
March 31...	April 8.....	Jesse Atwell.....	60 00
March 31...	April 8.....	W. A. Teresa.....	75 00
March 31...	April 8.....	Wm. Duke.....	80 00
March 31...	April 8.....	James McNutt.....	75 00
March 31...	April 8.....	Isabella Hayes.....	23 33
March 31...	April 8.....	Bridget Kelsey.....	50 00
March 31...	April 8.....	Mary Harrison.....	43 34
March 31...	April 8.....	Delia Gillooney.....	50 00
March 31...	April 8.....	Jacob Milbern.....	30 00
March 31...	April 8.....	Thomas, (S. T. Szarvash,).....	28 00
March 31...	April 8.....	Augustus Miller.....	29 00
March 31...	April 8.....	Henry	30 00
March 31...	April 8.....	Joseph Ware.....	20 00
March 31...	April 8.....	James A. Rogers.....	60 00
March 31...	April 8.....	Hans	18 00
March 31...	April 8.....	Conley & Patrick.....	14 00
April 30...	May 5.....	Stockwell & Underhill, Dry-goods.....	55 81
April 30...	May 5.....	Rosenbaum & Van Allen, Stationery..	78 31
April 30...	May 5.....	Kierski & Bro., Stationery.....	9 75
April 30...	May 5.....	Mills & Doll, Hardware.....	285 34
April 30...	May 5.....	C. P. Greenley & Co., Hardware.....	37 92
April 30...	May 5.....	E. O. Langley & Co., Drugs.....	81 19
April 30...	May 5.....	Gray & Hickman, Dry-goods.....	303 99
April 30...	May 5.....	H. T. Compton, Groceries.....	574 30
April 30...	May 5.....	J. W. Hart, Blacksmithing.....	49 97
April 30...	May 5.....	J. M. North, Vegetables.....	27 00
April 30...	May 5.....	D. J. Oulahan, Wood.....	64 00
April 30...	May 5.....	T. Paige, Lumber.....	358 10
April 30...	May 5.....	Webster & Waite, Crockery.....	35 50

Date of account	When audited.	In whose favor.	Amount.
1858.	1858.		
April 30....	May 5.....	W. Bailey, Manure.....	\$12 50
April 30....	May 5.....	Newton & Stevenson, Manure.....	22 75
April 30....	May 5.....	W. C. Culver, Manure.....	2 75
April 30....	May 5.....	W. V. Fisher, Milk.....	183 75
April 30....	May 5.....	W. Hammond, Manure.....	21 25
April 30....	May 5.....	R. W. Noble, Butter.....	30 85
April 30....	May 5.....	Chas. R. Bowen & Bro., Groceries.....	226 98
April 30....	May 5.....	Stockton Foundry, Castings.....	78 00
April 30....	May 5.....	Bisagno Brothers, Hardware.....	1 50
April 30....	May 5.....	M. L. Bird & Co., Saddler.....	1 00
April 30....	May 5.....	S. H. Debnam, Drugs.....	4 50
April 30....	May 5.....	Eldridge & Brothers, Potatoes.....	75 85
April 30....	May 5.....	Fox & O'Connor, Liquors.....	52 75
April 30....	May 5.....	Nash & Beamis, Shoes.....	95 50
April 30....	May 5.....	Hale & Wheeler, Potatoes.....	102 75
April 30....	May 5.....	J. M. North, Vegetables.....	46 70
April 30....	May 5.....	Luchsinger & Hubbard, Furniture.....	140 50
April 30....	May 5.....	John Gross & Co., Bread.....	684 00
April 30....	May 5.....	Peter Rothenbush & Co., Lager Bier..	37 50
April 30....	May 5.....	Wm. Ward, Meat.....	663 67
April 30....	May 5.....	Clement Vincent, Sand.....	5 00
April 30....	May 5.....	Wm. Gravatt, Salary.....	125 00
April 30....	May 5.....	Mrs. Henly, Salary.....	125 00
April 30....	May 5.....	E. M. Botts, Salary.....	75 00
April 30....	May 5.....	Jas. A. Rogers, Salary.....	60 00
April 30....	May 5.....	Joseph Ware, Salary.....	30 00
April 30....	May 5.....	J. W. Boucher, Salary.....	75 00
April 30....	May 5.....	Wm. Weekes, Salary.....	60 00
April 30....	May 5.....	Chas. Smith, Salary.....	82 50
April 20....	May 5.....	John Boyd, Salary.....	75 00
April 30....	May 5.....	Jesse Atwell, Salary.....	60 00
April 30....	May 5.....	James Trainer, Salary.....	60 00
April 30....	May 5.....	W. A. Teresa, Salary.....	75 00
April 30....	May 5.....	Bridget Kelsey, Salary.....	50 00
April 30....	May 5.....	Mary McCarthy, Salary.....	27 00
April 30....	May 5.....	Mary Harrison, Salary.....	50 00
April 30....	May 5.....	Delia Gillooney, Salary.....	50 00
April 30....	May 5.....	Mary ———, Salary.....	30 00
April 30....	May 5.....	James McNutt, Salary.....	75 00
April 30....	May 5.....	Wm. Duke, Salary.....	80 00
April 30....	May 5.....	Jacob Milbern, Salary.....	70 00
April 30....	May 5.....	Henry Lewis, Salary.....	22 00
April 30....	May 5.....	Henry Wood, Salary.....	30 00
May 31....	June 7.....	Nash & Beamis, Shoes and Oil.....	148 80
May 31....	June 7.....	Selig & Brothers, Tobacco.....	9 27
May 31....	June 7.....	Luchsinger & Hubbard, Furniture.....	110 87
May 31....	June 7.....	Kierski & Brothers, Papers.....	6 00
May 31....	June 7.....	Fox & O'Connor, Liquors.....	55 00
May 31....	June 7.....	Webster & Waite, Crockery.....	11 53
May 31....	June 7.....	E. O. Langley & Co., Medicines.....	70 07

Date of account	When audited.	In whose favor.	Amount.
1858.	1858.		
May 31.....	June 7.....	Chas. P. Greenley & Co., Hardware...	\$96 27
May 31.....	June 7.....	Rosenbaum & Van Allen, Stationery...	25 38
May 31.....	June 7.....	Hale & Wheeler, Vegetables.....	193 64
May 31.....	June 7.....	Mills & Doll, Hardware.....	93 50
May 31.....	June 7.....	Gray & Hickman, Dry-goods.....	540 60
May 31.....	June 7.....	J. M. North, Vegetables	50 93
May 31.....	June 7.....	W. V. Fisher, Milk.....	189 88
May 31.....	June 7.....	A. S. Gage & Co., Paint.....	3 75
May 31.....	June 7.....	A. S. Kogh, Hose.....	15 60
May 31.....	June 7.....	C. R. Bowen & Bros., Groceries.....	716 96
May 31.....	June 7.....	M. L. Bird & Co., Saddlery.....	20 00
May 31.....	June 7.....	J. W. Hart, Blacksmithing.....	61 00
May 31.....	June 7.....	John Gross & Co., Bread.....	838 40
May 31.....	June 7.....	Wm. Ward, Butcher's Meat.....	754 36
May 31.....	June 7.....	Thomas Marshall, Hay, etc.....	5 00
May 31.....	June 7.....	Wm. Gravatt, Salary....	125 00
May 31.....	June 7.....	Mrs. Healy, Salary.....	125 00
May 31.....	June 7.....	E. M. Botts, Salary.....	75 00
May 31.....	June 7.....	J. W. Boucher, Salary.....	75 00
May 31.....	June 7.....	Wm. Weekes, Salary.....	60 00
May 31.....	June 7.....	Charles Smith, Salary.....	75 00
May 31.....	June 7.....	Jesse Atwell, Salary.....	60 00
May 31.....	June 7.....	James Trainor, Salary.....	60 00
May 31.....	June 7.....	W. A. Teresa, Salary.....	75 00
May 31.....	June 7.....	Mary McCarthy, Salary.....	45 00
May 31.....	June 7.....	Bridget Kempsey, Salary.....	50 00
May 31.....	June 7.....	Mary Harrison, Salary.....	50 00
May 31.....	June 7.....	Delia Gillooney, Salary.....	50 00
May 31.....	June 7.....	Mary Roberts, Salary.....	30 00
May 31.....	June 7.....	Wm. Duke, Salary.....	80 00
May 31.....	June 7.....	James McNutt, Salary.....	75 00
May 31.....	June 7.....	Joseph Ware, Salary.....	30 00
May 31.....	June 7.....	Jas. A. Rogers, Salary.....	60 00
May 31.....	June 7.....	Jacob Melbourne, Salary.....	70 00
May 31.....	June 7.....	Martin Clark, Salary.....	17 50
May 31.....	June 7.....	John Henry, Salary.....	30 00
June 30.....	July 7.....	C. R. Bowen & Bros., (Balance on Gro- cery bill.).....	125 42
Contracted during the Fiscal year ending June 30, 1858.....			\$17,284 25
Add Amount contracted before first February, 1857.....			9,225 35
Total Amount of outstanding indebtedness.....			\$26,510 60

[C]

List of Bills due by Insane Asylum of California, contracted since Jan. 1, 1858.

Date of account	When audited.	In whose favor.	Amount.
1858.			
January 31	Feb. 2.....	Rosenbaum & Van Allen, Stationery...	\$10 75
Feb. 28....	March 2....	S. H. Debnam, Medicine.....	6 00
Feb. 28....	March 2....	John Gross & Co., Bread.....	284 80
Feb. 28....	March 2....	William Ward, Meat.....	321 68
Feb. 28....	March 2....	Bisagno Brothers, Crockery	56 00
Feb. 28....	March 2....	Fox & O'Connor, Liquors.....	16 25
Feb. 28....	March 2....	Luchsinger & Hubbard, Furniture.....	25 25
Feb. 28....	March 2....	E. O. Langley & Co., Drugs.....	70 77
Feb. 28....	March 2....	J. R. Ray, Clover-seed	7 25
Feb. 28....	March 2....	M. L. Bird & Co., Saddlery.....	39 25
Feb. 28....	March 2....	F. Depois, Vegetables	37 00
Feb. 28....	March 2....	William Teeter, Salary	60 00
Feb. 28....	March 2....	J. W. Boucher, Salary.....	75 00
Feb. 28....	March 2....	John Boyd, Salary.....	75 00
Feb. 28....	March 2....	J. T. Szarvash, Salary.....	75 00
March 31..	April 8....	Gray & Hickman, Dry-goods.....	77 37
March 31..	April 8....	A. S. Gage & Co., Paints, etc.....	27 87
March 31..	April 8....	J. D. Honche, Groceries.....	163 82
March 31..	April 8....	Kierski & Brother, Stationery.....	30 25
March 31..	April 8....	Luchsinger & Hubbard, Furniture.....	105 97
March 31..	April 8....	C. P. Greenley & Co., Hardware.....	75 43
March 31..	April 8....	Rosenbaum & Van Allen, Stationery..	28 75
March 31..	April 8....	James Lawson, Chickens.....	16 62
March 31..	April 8....	E. E. Kenney, Crockery	7 00
March 31..	April 8....	Webster & Waite, Hardware.....	30 75
March 31..	April 8....	T. Paige, Lumber.....	243 46
March 31..	April 8....	Nash & Beamis, Oil, etc.....	124 05
March 31..	April 8....	R. W. Noble, Butter.....	81 97
March 31..	April 8....	Stockwell & Underhill, Dry-goods....	68 52
March 31..	April 8....	F. Depois, Vegetables	39 05
March 31..	April 8....	Mills & Doll, Tinware.....	116 23
March 31..	April 8....	Selig & Bro., Tobacco.....	23 65
March 31..	April 8....	Eldridge & Bro., Potatoes.....	173 50
March 31..	April 8....	M. L. Bird & Co., Saddlery.....	32 00
March 31..	April 8....	M. L. Bird & Co., Saddlery.....	19 00
March 31..	April 8....	J. W. Hart, Blacksmithing.....	9 00
March 31..	April 8....	Simpson & Gray, Lumber.....	28 25
March 31..	April 8....	E. O. Langley & Co., Drugs.....	33 25
March 31..	April 8....	Rolland & McCahill, Dry-goods.....	67 10
March 31..	April 8....	D. J. Oulahan, Wood.....	70 00
March 31..	April 8....	Post-Office	21 00
March 31..	April 8....	J. Menges, Keys.....	3 00
March 31..	April 8....	Bisagno Brothers, Crockery.....	13 25
March 31..	April 8....	Wm. Ward, Meat.....	721 94
March 31..	April 8....	Mrs. Libey & Son, Cabbage-plants.....	13 00

Date of account	When audited.	In whose favor.	Amount.
1858.			
March 31...	April 8.....	W. V. Fisher, Milk.....	\$188 37
March 31...	April 8.....	Lot Day, Sand.....	7 00
March 31...	April 8.....	John Gross & Co., Bread.....	669 60
March 31...	April 8.....	V. Plotz.....	4 50
March 31...	April 8.....	P. E. Jordan, Salary.....	125 00
March 31...	April 8.....	Mrs. Haley, Salary.....	125 00
March 31...	April 8.....	Wm. Gravatt, Salary.....	100 00
March 31...	April 8.....	E. M. Botts, Salary.....	75 00
March 31...	April 8.....	J. W. Boucher, Salary.....	75 00
March 31...	April 8.....	Wm. Weekes, Salary.....	58 00
March 31...	April 8.....	Bartholomew Hayes, Salary.....	20 00
March 31...	April 8.....	Wm. Teeter, Salary.....	32 50
March 31...	April 8.....	John Boyd, Salary.....	75 00
March 31...	April 8.....	James Trainor, Salary.....	60 00
March 31...	April 8.....	Jesse Atwell, Salary.....	60 00
March 31...	April 8.....	H. A. Teresa, Salary.....	75 00
March 31...	April 8.....	Wm. Duke, Salary.....	80 00
March 31...	April 8.....	Jas. McNutt, Salary.....	75 00
March 31...	April 8.....	Isabella Hayes, Salary.....	23 32
March 31...	April 8.....	Bridget Kelsey, Salary.....	50 00
March 31...	April 8.....	Mary Harrison, Salary.....	43 34
March 31...	April 8.....	Delia Gillooney, Salary.....	50 00
March 31...	April 8.....	Jacob Melbourne, Salary.....	30 00
March 31...	April 8.....	S. T. Szarvash, Salary.....	28 00
March 31...	April 8.....	Augustus Miller, Salary.....	29 00
March 31...	April 8.....	Henry, Salary.....	30 00
March 31...	April 8.....	Joseph Hare, Salary.....	20 00
March 31...	April 8.....	Jas. A. Rogers.....	60 00
March 31...	April 8.....	Mary, Salary.....	18 00
March 31...	April 8.....	Conly & Patrick.....	14 00
April 30....	May 5.....	Stockwell & Underhill, Dry-goods.....	55 81
April 30....	May 5.....	Rosenbaum & Van Allen, Stationery...	9 75
April 30....	May 5.....	Mills & Doll, Hardware.....	285 34
April 30....	May 5.....	C. P. Greenley & Co., Hardware.....	37 92
April 30....	May 5.....	E. O. Langley & Co., Drugs.....	81 19
April 30....	May 5.....	Gray & Hickman, Dry-goods.....	303 99
April 20....	May 5.....	H. T. Compton, Groceries.....	574 30
April 30....	May 5.....	J. W. Hart, Blacksmithing.....	49 97
April 30....	May 5.....	J. M. North, Vegetables.....	27 00
April 30....	May 5.....	D. J. Oulahan, Wood.....	64 00
April 30....	May 5.....	T. Paige, Lumber.....	358 10
April 30....	May 5.....	Webster & Waite, Crockery.....	35 50
April 30....	May 5.....	W. Bailey, Manure.....	12 50
April 30....	May 5.....	Newton & Stevenson, Manure.....	22 75
April 30....	May 5.....	W. C. Culver, Manure.....	2 75
April 30....	May 5.....	W. V. Fisher, Milk.....	183 75
April 30....	May 5.....	W. Hammond, Manure ..	21 25
April 30....	May 5.....	R. W. Noble, Butter.....	30 85
April 30....	May 5.....	C. R. Bowen & Bro., Groceries.....	226 98
April 30....	May 5.....	Stockton Foundry, Castings.....	78 00

Date of account	When audited.	In whose favor.	Amount.
1858.	1858.		
April 30....	May 5.....	Bisagno Brothers, Hardware.....	\$1 50
April 30....	May 5.....	M. L. Bird & Co., Saddlery.. ..	1 00
April 30....	May 5.....	S. H. Debnam, Drngs.....	4 50
April 30....	May 5.....	Eldridge & Bro., Potatoes.....	75 85
April 30....	May 5.....	Fox & O'Connor, Liquors.....	52 75
April 30....	May 5.....	Nash & Beamish, Shoes.. ..	95 50
April 30....	May 5.....	Hale & Wheeler, Potatoes.....	102 75
April 30....	May 5.....	J. M. North, Vegetables.....	46 70
April 30....	May 5.....	Luchsinger & Hubbard, Furniture	140 50
April 30....	May 5.....	John Gross & Co., Bread.....	684 00
April 30....	May 5.....	Peter Rothenbush & Co., Lager Bier..	37 50
April 30....	May 5.....	Wm. Ward, Meat.....	663 67
April 30....	May 5.....	Clement Vincent, Sand.....	5 00
April 30....	May 5.....	Wm. Gravatt, Salary.....	125 00
April 30....	May 5.....	Mrs. May Healy, Salary.....	125 00
April 30....	May 5.....	E. M. Botts, Salary.....	75 00
April 30....	May 5.....	Jas. A. Rogers, Salary.....	60 00
April 30....	May 5.....	Joseph Ware.....	30 00
April 30....	May 5.....	J. W. Boncher, Salary	75 00
April 30....	May 5.....	Wm. Weekes, Salary.....	60 00
April 30....	May 5.....	Chas. Smith, Salary.....	82 50
April 30....	May 5.....	John Boyd, Salary.....	75 00
April 30....	May 5.....	Jesse Atwell, Salary.....	60 00
April 30....	May 5.....	James Trainor, Salary.....	60 00
April 30....	May 5.....	W. A. Teresa, Salary.....	75 00
April 30....	May 5.....	Bridget Kelsey, Salary.....	50 00
April 30 ...	May 5.....	Mary McCarthy, Salary	27 00
April 30 ...	May 5.....	Mary Harrison, Salary	50 00
April 30 ...	May 5.....	Delia Gillooney, Salary.....	50 00
April 30 ...	May 5.....	Mary, Salary	30 00
April 30 ...	May 5.....	James McNutt, Salary.....	75 00
April 30 ...	May 5.....	William Duke, Salary	80 00
April 30 ...	May 5.....	Jacob Melbourne, Salary.....	70 00
April 30 ...	May 5.....	Henry Lewis, Salary.....	22 00
April 30 ...	May 5.....	Henry Wood, Salary.....	30 00
May 31....	June 7.....	Nash & Beamis, Shoes and Oil.....	148 80
May 31....	June 7.....	Selig & Bro.. Tobacco.....	9 27
May 31....	June 7.....	Luchsinger & Hubbard, Furniture	110 87
May 31....	June 7.....	Kierski & Bro., Papers.....	6 00
May 31....	June 7.....	Fox & O'Connor, Liquors.....	55 00
May 31....	June 7.....	Webster & Waite, Crockery	11 53
May 31....	June 7.....	E. O. Langley & Co., Medicines.....	70 07
May 31....	June 7.....	Charles P. Greenley & Co., Hardware	96 27
May 31....	June 7.....	Rosenbaum & VanAllen, Stationery...	25 38
May 31....	June 7.....	Hale & Wheeler, Vegetables	193 64
May 31....	June 7....	Mills & Doll, Hardware.....	93 50
May 31....	June 7.....	Gray & Hickman, Dry-goods	540 60
May 31....	June 7.....	J. M. North, Vegetables	50 93
May 31....	June 7.....	W. V. Fisher, Milk.....	189 88
May 31....	June 7.....	A. S. Gage & Co., Paint.....	3 75

Date of account	When audited.	In whose favor.	Amount,
1858.	1858.		
May 31.....	June 7.....	A. Skogh, Hose.....	\$15 60
May 31.....	June 7.....	C. R. Bowen & Bro., Groceries	716 96
May 31.....	June 7.....	M. L. Birdser, Saddlery	20 00
May 31.....	June 7.....	J. W. Hart, Blacksmithing	61 00
May 31.....	June 7.....	John Gross & Co., Bread	838 40
May 31.....	June 7.....	William Ward, Butcher's Meat.....	754 36
May 31.....	June 7.....	Thomas Marshall, Hay, etc.	5 00
May 31.....	June 7.....	William Gravatt, Salary.....	125 00
May 31.....	June 7.....	Mrs. M. J. Healy, Salary.....	125 00
May 31.....	June 7.....	E. M. Botts, Salary.....	75 00
May 31.....	June 7.....	J. W. Boucher, Salary.....	75 00
May 31.....	June 7.....	William Weekes, Salary	60 00
May 31.....	June 7.....	Charles Smith, Salary	75 00
May 31.....	June 7.....	Jesse Atwell, Salary	60 00
May 31.....	June 7.....	James Trainor, Salary.....	60 00
May 31.....	June 7.....	W. A. Teresa, Salary.....	75 00
May 31.....	June 7.....	Mary McCarthy, Salary	45 00
May 31.....	June 7.....	Bridget Kempsey, Salary	50 00
May 31.....	June 7.....	Mary Harrison, Salary	50 00
May 31.....	June 7.....	Delia Gillooney, Salary ..	50 00
May 31.....	June 7.....	Mary Roberts, Salary	30 00
May 31.....	June 7.....	Mary Roberts, Salary	80 00
May 31.....	June 7.....	William Duke, Salary	75 00
May 31.....	June 7.....	James McNutt, Salary.....	30 00
May 31.....	June 7.....	Joseph Ware, Salary	60 00
May 31.....	June 7.....	James A. Rogers, Salary.....	70 00
May 31.....	June 7.....	Jacob Melbourne, Salary.....	17 50
May 34.....	June 7.....	Martin Clark, Salary	30 00
May 31.....	June 7.....	John Henry, Salary.....	125 42
June 30.....	July 7.....	C. R. Bowen & Bro.....	
		Total.....	\$17,144 85

[D]

Memorandum of the Deficiency created under the Act of the Legislature appropriating Money for the erection of additional Buildings, and for other improvements.

Date of account	When audited.	In whose favor.	Amount.
1858.	1858.		
Oct. 31.....	Nov. 1.....	Mills & Doll.....	160 19
Nov. 30.....	Dec. 10.....	Mills & Doll.....	73 74
Nov. 30.....	Dec. 10.....	C. P. Greenley & Co.....	48 33
Nov. 30.....	Dec. 10.....	Timothy Paige.....	268 02
Nov. 30.....	Dec. 10.....	Gray & Hickman.....	136 25
Nov. 30.....	Dec. 10.....	Luchsinger & Hubbard.....	53 44
Nov. 30.....	Dec. 10.....	W. W. Webster.....	11 13
Nov. 30.....	Dec. 10.....	G. V. Visser.....	40 30
Nov. 30.....	Dec. 10.....	O. C. Gage.....	45 92
Nov. 30.....	Dec. 10.....	Duncan Beaumont.....	6 67
Nov. 30.....	Dec. 10.....	John Robinett.....	445 30
			<hr/> \$1,289 29



REPORT OF THE RESIDENT-PHYSICIAN.

To the Trustees of the Insane Asylum of the State of California :

GENTLEMEN :—It again becomes my duty to report to you the condition of the Institution over which you preside.

Much has been done, as you are well aware, to add to our comfort and convenience, during the last twelve months. The liberal appropriation for improvements made by the last Legislature has been both judiciously and economically expended. The improvements can only be appreciated by those who, like yourselves, knew the Institution as it was, and know it as it is. When our arrangements for water are completed, we will be comparatively safe and comfortable.

The statistics of the Institution are furnished in the usual tabular form. From these you will perceive that, during the last eleven months, four hundred and thirty-two (432) patients have been treated; two hundred and forty-four (244) new patients have been admitted; one hundred and twelve (112) discharged cured; thirty-two (32) have died, and fifteen (15) have eloped, leaving two hundred and seventy-three (273) on hand.

The general health of the inmates, notwithstanding the number of invalids, has been excellent; this is, in a great measure, attributable to the delightful and healthy climate of our locality. It hardly becomes me to institute a comparison between the number of cures effected at this and similar institutions in the United States. Indeed, such a comparison, if it were not invidious, is almost impossible; at least, it forms no test of merit—so much depends upon circumstances. In the same Institution the curable cases of one year may double those of another. In some institutions no cases but those of short standing, and therefore supposed to be curable, are admitted. Although we have been remarkably fortunate, it would be the height of presumption to attribute the fact to any superiority of skill or management. It is well known that the chances of cure in insanity are inversely proportionate to the continuance of disease. In California the sick have few friends, and are therefore quickly dispatched to the Hospital. In this way, the heartless stranger proves, really, the best friend of the poor lunatic.

I have particularly to call your attention and that of the Legislature,

to our pecuniary wants for the coming year. I am the servant of the people, and it is my duty to inform them frankly and honestly of the necessary expenses of the noble charity they have founded. It is for them to say upon what scale and in what manner it shall be administered. It is both wicked and useless to pretend that such an Institution can be made an honor to the State, or can be conducted in a manner to compare favorably with similar charities, except at great expense. The inmates are patients, not convicts, and the object is to minister to their misfortune, not to punish crime. The Legislature is the sole judge of what the State can afford to bestow, and we have neither the authority nor the right to exceed our appropriation. It is upon this principle that, since we have been placed upon a cash basis, I have strained every nerve to bring our expenditures within our appropriation. By virtue of the cash and contract system, I have succeeded in reducing the monthly expenses from twenty-two (22) dollars to sixteen (16) dollars *per capita*. This last sum, however, was attained at the expense of great inconvenience and some privation; and I am satisfied that with the most rigid economy the patient can not be maintained decently and comfortably for less than twenty (20) dollars per head per month; and indeed this sum is much smaller than the allowance in similar institutions in other portions of the Union. As far as I have been able to ascertain, from a large number of reports transmitted to me, the average cost of each patient per month in the Atlantic States, rather exceeds the sum of sixteen (16) dollars. When it is remembered that we are compelled to pay our male attendants from forty (40) dollars to seventy-five (75) dollars, and our females from forty-five (45) to fifty (50) dollars per month, with provisions and clothing at proportionate prices, it will be admitted, I think, that with even a monthly allowance of twenty (20) dollars for each patient, the Institution must be conducted upon principles of the most rigid economy. Assuming this, then, as the standard of allowance to each patient, I would respectfully suggest to your Honorable Board the propriety of limiting the number of patients to the appropriation made by the Legislature. Painful as it may be to deny the benefits of the Institution to one of the class of unfortunates for whose uses it was founded, better this than the alternative of disregarding the limitation of a scanty appropriation.

In this point of view it becomes all important that the Legislature should be furnished with data from which to estimate the number to be provided for. These are few and simple: During the last eleven months, two hundred and forty-four (244) patients have been admitted, of whom one hundred and fifty-nine (159) have been discharged, leaving a permanent increase of 78-11 per month. If we make allowances for increase of population, and the accumulation of chronic cases, we shall not be beyond the mark in counting on an excess of admissions, over and above discharges, of *nine* per month. If we add then fifty-four, (54,) the mean contemplated increase, to the number with which we started, we shall have three hundred and twenty to be provided for during the coming year. This number, at the rate of two hundred and forty (\$240) dollars per head, will require an annual appropriation of seventy-eight thousand four hundred and eighty (\$74,480) dollars.

But the number of applicants may much exceed our estimate; and if the Legislature are desirous that none may be turned away, I would suggest the propriety of allowing a large margin in the appropriation. I hope the day is past when a public officer was considered a public robber, and that the Legislature will look upon you and me, as like themselves—

public servants—devoted to the public welfare. If we sustain this position, the only result of an excessive appropriation would be a surplus for the coming year.

So much for our ordinary expenses. For repairs to building, mechanics upon whom I can rely, have estimated an annual expenditure of five thousand (\$5,000) dollars.

We ought to supply our own milk and butter. Our consumption of milk is limited by the expense, whilst the slops from the kitchen would almost suffice to feed the necessary number of cows. For the purchase of twenty cows and dairy fixtures, we ought to have an appropriation of about twenty-five hundred (\$2500) dollars.

We have an average of twenty-five male patients who are willing and able to work daily in the open air, and this, in our delightful climate, they can do, with great benefit to themselves and much advantage to the Institution, for ten months in the year. I do not hesitate to say that the improvements effected by the labors of the patients in the last twelve months would have cost, at the usual rate of labor, at least fifteen thousand (\$15,000) dollars.

Our soil is an unmanageable, tenacious clay, sufficiently productive when thoroughly reduced, but requiring immense labor to bring it into order. When we commenced, the sod was unbroken, and we succeeded in reducing it only in time to grow tomatoes and a few melons. After the month of May, I hope and expect to dispense with a vegetable bill altogether.

We have one thousand (1000) thrifty trees of all varieties of fruit, from which we may expect a most abundant crop in a couple of years.

We ought to set out about three thousand (3000) grape-vines this winter, and for this purpose, and for the purchase of tools, seeds, etc., we need an appropriation of about five thousand dollars. The old fence in front of the Asylum accords poorly with the improved appearance of the buildings. To replace it with a brick wall and iron railing would cost about five thousand (5000) dollars; but that is a mere matter of ornament, and I hope that this expenditure will not be made at the expense of any of the other useful and necessary outlays that I have suggested.

The contract system, inaugurated August first, by which supplies are opened to public competition, has worked most admirably, obviating all suspicion of favoritism, at the same time furnishing us better articles at lower prices. Under this system, the expenses of the Institution have been lessened about nine hundred (900) dollars per month. There is only one alteration on this head that I have to suggest, and that is, that the contract run for the whole, instead of the half year. By this means, we shall save three or four hundred dollars in advertising, and make the competition greater by rendering the contract more of an object to bidders.

I have been seconded ably and efficiently, in the medical department, by Dr. Kendall, the Visiting-Physician of the Institution.

Amusement—anything that will divert the mind, and withdraw the patient from the habit of brooding over the subject of his idiosyncrasy—is valuable in a remedial point of view.

For a few months, we had the use of a billiard-table, for which we were indebted to the kindness of Mr. Butler, the Architect of the late improvements. I was surprised to find how much interest was taken in the game by some of the Patients, who were thus beguiled of many a tedious and melancholy hour. As soon as our finances will permit, we

ought to be furnished with both billiard-tables and bowling-alleys. In other asylums, these means of diversion are considered indispensable.

To the kindness of a neighbor, we are indebted for the use of a half-dozen cows, from which we have drawn a supply of milk that has made a grateful addition to the diet of the Female Ward.

I can not conclude this report without speaking in terms of the highest commendation of Mr. William Gravatt, the Steward. No institution ever had a more active, conscientious, and efficient officer.

To the members of the Press we are greatly indebted for an abundant and regular supply of newspapers, which have been a source of constant gratification to the Patients. The following is a list of papers furnished the Asylum :

San Joaquin Republican,
Stockton Daily Argus,
Mariposa Gazette,
Mariposa Star,
Union Democrat,
Sonora Herald,
Nevada Journal,

San Francisco Herald,
Sacramento Union,
Siskiyou Chronicle,
Mountain Democrat,
Shasta Courier,
Pacific Methodist,
Christian Advocate,

Hydraulic Press.

All of which is respectfully submitted.

W. D. AYLETT, Resident-Physician.

APPENDIX.

TABLE FIRST.

An Exhibit of Patients received into, continuing in, and discharged from, the Asylum, during the Eleven Months from December 31st, 1857, to November 30th, 1858, inclusive.

Number	Date of admission...	Age	Sex.....	Civil condition.....	Nativity	County from which Committed	Duration before admission	Apparent form.....	Supposed cause.....	State of health.....	Prospect	Result.....
1	unknown	40	male	unknown	England	unknown	unknown	confirmed dementia	unknown	good	unfavorable	remains
2	do	35	do	do	Germany	do	do	dementia	do	do	do	do
3	do	do	do	do	China	do	do	simple dementia	do	do	do	do
4	do	do	do	do	do	do	do	do	do	do	do	do
5	do	26	do	do	do	do	do	do	do	do	do	do
6	do	do	do	do	Ireland	do	do	hypochondria	religion	do	favorable	do
7	Dec 17, '56	do	do	do	unknown	San Joaquin	do	partial dementia	masturbation	do	unfavorable	do
8	Nov 26, '56	30	do	single	do	El Dorado	do	dementia	unknown	do	do	do
9	Jan 30, '57	50	do	unknown	do	San Francisco	do	melancholia	do	bad	do	do
10	unknown	do	do	do	Germany	unknown	do	periodical attacks	disappointed avarice	good	do	died
11	do	40	do	do	France	do	do	partial dementia	unknown	bad	do	do
12	do	40	do	do	Ireland	do	do	dementia	religion	good	do	remains
13	July 21, '57	25	do	single	unknown	Sonoma	do	do	unknown	do	do	do
14	unknown	49	do	unknown	America	unknown	do	simple dementia	religion	do	favorable	do
15	do	do	do	do	do	do	do	dementia	fear	do	do	eloped
16	do	do	do	do	do	Placer	do	simple dementia	fright	do	unfavorable	remains
17	Dec 30, '56	38	do	single	Ohio	do	do	simple dementia	religion	do	do	do
18	unknown	do	female	unknown	unknown	unknown	do	dementia	hereditary insanity	do	do	do
19	April 14, '57	19	do	single	New York	Sacramento	do	simple dementia	hereditary insanity	do	do	do
20	unknown	do	do	unknown	unknown	unknown	do	idiotic	disappointed ambition	bad	do	do
21	Sept 28, '57	do	do	married	do	San Francisco	do	dementia periodical	fright	good	do	do
22	unknown	do	do	unknown	France	unknown	do	dementia	unknown	do	do	do
23	Mar 19, '57	28	male	single	Kentucky	Monteary	do	partial dementia	love and religion	do	do	do
24	unknown	40	do	unknown	Ireland	unknown	do	dementia	unknown	do	do	do
25	do	do	do	do	Chihuahua	do	do	simple dementia	do	do	do	do
26	do	do	do	do	France	do	do	do	do	do	do	do

27	April 19, '58	20	male	single	Ireland	San Francisco	unknown	dementia	blow on the head	do	unfavorable	remains
29	July 17, '57	40	do	married	do	Sacramento	do	do	loss of wife	good	favorable	do
30	unknown	40	female	do	New York	San Francisco	do	partial dementia	intemperance	bad	unfavorable	do
31	do			do	China	unknown	do	dementia	grief	good	do	do
32	July 20, '57	30	male	do	Italy	Amador	2 weeks	do	fall in a shaft	do	do	do
33	unknown		do	do	France	unknown	unknown	do	death of parents	do	do	do
34	May 1, '57	20	do	do	China	do	do	acute mania	disappointment	do	unfavorable	do
35	Feb 2, '57	40	do	do	England	do	do	do	unknown	do	do	do
37	unknown	25	do	do	unknown	do	do	simple dementia	do	do	favorable	do
38	May 31, '57	60	do	do	Mexico	San Francisco	do	simple	loss of property	bad	unfavorable	died of marasmus
39	unknown	60	do	do	Massachusetts	do	do	simple	disappointment	do	do	remains
39	unknown	39	do	do	France	Siskiyou	3 months	simple dementia	religion	do	do	died of marasmus
40	Oct 31, '56	65	do	do	N. Carolina	Shasta	unknown	simple dementia	fever	do	unfavorable	remains
41	unknown	49	female	married	unknown	unknown	do	idiotic	congenital	good	do	do
42	April 16, '57		male	unknown	Germany	do	do	simple	unknown	do	do	do
43	unknown	18	do	do	France	do	do	do	do	do	do	do
44	Jan 26, '56		do	do	America	do	do	confirmed dementia	do	do	do	died of marasmus
45	unknown		do	do	unknown	San Francisco	do	dementia	do	bad	do	remains
46	Jan 30, '57		do	do	France	unknown	do	do	do	good	favorable	discharged
47	unknown	50	do	do	do	do	do	do	do	do	unfavorable	remains
48	do	34	do	do	Mexico	do	do	do	do	do	do	do
51			do	do	Germany	Sacramento	do	simple dementia	do	do	do	do
53	Feb 11, '57	57	do	do	unknown	Siskiyou	do	dementia	do	do	do	do
54	Jan 17, '57		do	do	do	unknown	do	do	do	do	do	do
55	unknown		do	do	Canada	San Francisco	do	do	loss of money	do	favorable	discharged
56	Oct 10, '56	20	female	married	do	San Joaquin	do	suicidal tendency	unknown	do	do	remains
59	Jan 6, '57	60	male	do	England	do	do	melancholia	disappointment	do	do	do
60	Jan 16, '57	28	do	single	do	Butte	do	dementia	intemperance	do	do	do
61	Jan 6, '57	43	do	do	Switzerland	San Joaquin	do	chronic mania	unknown	do	do	do
62	May 4, '57	33	do	do	Ireland	Yuba	do	simple	do	do	do	do
64	July 1, '56	20	do	married	America	unknown	do	periodical attacks	do	do	do	do
66	unknown	24	do	single	France	do	do	dementia	do	do	do	do
67	do		do	do	unknown	El Dorado	3 months	partial dementia	excessive use opium	do	unfavorable	do
68	Oct 5, '56	45	female	married	do	unknown	do	dementia	unknown	do	do	do
71	unknown		male	unknown	America	do	unknown	simple dementia	do	do	do	do
72	do		do	do	do	do	do	acute mania	do	do	do	do
73	do		do	do	do	Calaveras	do	do	disappointment	do	do	do
74	April 22, '57		do	do	Ireland	unknown	do	melancholia	unknown	do	do	died of consumption
75	June 12, '56	26	do	married	unknown	do	do	dementia	do	good	unfavorable	remains
76	unknown		female	married	Virginia	do	4 years	acute mania	hereditary insanity	do	do	do
77	do	30	do	do	Germany	do	unknown	dementia	dissipation	good	do	do
79	do	36	male	unknown	Ireland	do	do	do	disappointment	do	do	do
80	do	65	do	do	do	do	do	do	child-bearing	bad	do	do
81	do		female	married	do	do	do	simple dementia	do	do	do	do

TABLE FIRST.—CONTINUED.

An Exhibit of Patients received into, continuing in, and discharged from, the Asylum, during the Eleven Months from December 31st, 1857, to November 30th, 1858, inclusive.

Number	Dnte of admission...	Age	Sex.....	Civil condition	Nativity	County from which committed.....	Duration before admission	Apparent form.....	Supposed cause.....	State of health	Prospect	Result.....
82	unknown		male	unknown	England	unknown	unknown	idiotic	unknown	good	unfavorable	remains
83	Nov 7, '56	24	do	do	Pennsylvania	Tuolumne	do	melancholia	disappointment	do	do	do
84	Mar 13, '57	13	do	single	Missouri	unknown	do	simple	epileptic fits	bad	do	do
86	July 24, '57	25	do	unknown	unknown	Stanislaus	do	simple dementia	unknown	good	do	do
87	June 20, '57	30	do	single	Maryland	San Francisco	do	do	dissipation	bad	favorable	discharged
88	unknown		female	unknown	Mexico	unknown	do	idiotic	intemperance	good	unfavorable	remains
91	do		male	do	France	do	do	melancholia	unknown	do	do	do
92	do	30	do	married	England	do	do	do	religion	bad	do	do
94	do		do	unknown	Germany	do	do	dementia	unknown	good	do	do
95	Mar 12, '57	30	do	do	France	Germany	do	periodical insanity	do	do	do	do
96	June 11, '57	36	do	single	do	Plumas	2 months	at times violent	intemperance	do	do	do
97	May 26, '57		do	unknown	unknown	Calaveras	unknown	dementia	unknown	do	do	do
98	April 6, '57		do	do	do	Stanislaus	do	chronic mania	dissipation	do	do	do
99	unknown		female	do	Mexico	unknown	do	simple dementia	family trouble	do	do	do
100	Dec 2, '57	40	do	do	England	Humboldt	do	religious mania	child-bearing	.....	...	died of dysentery
101	June 25, '57	27	do	married	Ireland	Sacramento	do	fear of death	do	good	favorable	discharged
103	June 18, '54	25	do	single	Chile	unknown	do	simple	abuse	bad	unfavorable	remains
104	July 25, '57		do	unknown	Ireland	Monterey	6 months	acute mania	disappointment in love	do	do	do
105	unknown	40	male	do	Scotland	unknown	unknown	melancholia	unknown	good	do	do
106	do		do	do	Ireland	do	do	chronic mania	do	do	do	do
107	do		do	do	Portugal	do	do	dementia	do	do	do	do
108	April 14, '57	25	do	single	N. Carolina	Shasta	do	do	do	do	favorable	do
109	unknown		do	unknown	Ireland	unknown	do	simple dementia	dissipation	do	unfavorable	discharged
111	do	25	do	do	Germany	do	do	dementia	unknown	do	favorable	remains
112	Jan 31, '57		do	do	unknown	San Diego	do	simple dementia	do	do	unfavorable	discharged
114	April 25, '57		do	do	Italy	San Joaquin	do	simple	do	do	favorable	remains

	male	unknown	unknown	unknown	unknown	idiotic	religious excitement	good	unfavorable	remains
113 May 1, '57	do	do	Germany	do	do	dementia	unknown	do	do	do
117 unknown	do	do	Ireland	do	do	partial dementia	chronic rheumatism	do	do	do
118 Mar 14, '57	do	do	Germany	do	do	periodical insanity	unknown	do	do	do
120 unknown	do	do	unknown	Fresno	do	blind and idiotic	do	do	do	do
121 Oct 29, '56 14	do	single	California	unknown	do	acute mania	do	do	do	do
122 April 15, '56	do	unknown	Mexico	Tuolumne	do	dementia	excessive use of quinine	do	do	discharged
123 June 5, '57	do	do	England	Sierra	do	partial dementia	masturbation	do	do	do
124 July 5, '57 30	do	do	America	unknown	do	dementia	unknown	do	do	remains
125 unknown	do	do	Germany	do	do	simple	masturbation	do	do	do
127 do	do	do	do	San Francisco	do	dementia	unknown	do	do	do
128 do	do	do	America	unknown	do	chronic mania	do	do	do	do
129 do	do	do	Germany	do	do	dementia	unknown	do	do	do
130 do	do	do	Ireland	do	do	simple dementia	epilepsy	do	do	do
132 unknown	do	do	Germany	do	do	dementia	masturbation	do	do	do
133 do	do	do	Denmark	Marin	do	do	unknown	do	do	do
136 July 3, '57 35	do	do	Germany	unknown	do	simple dementia	loss of money	do	do	do
139 unknown	do	do	America	do	do	chronic insanity	paralysis and intemper-	do	do	do
140 do	do	do	New Jersey	San Francisco	do	dementia	unknown	do	do	do
145 April 30, '53 35	do	married	Ireland	do	do	confirmed dementia	disease of kidneys	do	do	do
146 Jan 23, '57 38	do	do	America	unknown	do	simple dementia	loss of property	do	do	discharged
147 April 20, '57	do	do	England	do	do	dementia	dissipation	do	do	remains
148 Oct 15, '56 30	do	married	Pennsylvania	San Francisco	do	do	unknown	do	do	do
149 Oct 6, '56 49	do	single	Germany	unknown	do	monomania	religion	do	do	do
152 July 7, '57	do	do	France	do	do	periodical insanity	do	do	do	do
153 unknown	do	do	Massachusetts	do	do	dementia	unknown	do	do	do
154 do	do	do	America	do	do	do	masturbation	do	do	do
156 do	do	do	Germany	do	do	do	unknown	do	do	do
157 do	do	do	America	do	do	do	family trouble	do	do	do
158 do	do	do	Ireland	do	do	do	unknown	do	do	do
159 do	do	do	do	do	do	periodical attacks	do	do	do	do
160 do	female	married	America	do	do	acute mania	masturbation	do	do	do
161 do	male	do	Chile	do	do	dementia	dissipation	do	do	do
162 do	do	do	America	Contra Costa	do	acute mania	confusion on the head	do	do	do
163 Aug 4, '57	do	do	Ireland	Santa Barbara	3 weeks	do	puerperal fever	do	do	do
165 Aug 14, '57 46	do	do	Maine	Napa	3 days	do	unknown	do	do	do
166 Aug 14, '57 42	do	do	Germany	San Joaquin	unknown	simple	jealousy	do	do	do
175 Aug 25, '57 25	female	married	Ireland	San Francisco	do	acute mania	inflammation of brain	do	do	do
177 Aug 26, '57	do	do	Italy	Santa Cruz	do	chronic insanity	unknown	do	do	do
178 Aug 28, '57 40	male	married	do	Yuba	do	acute mania	inflammation of brain	do	do	do
179 Aug 29, '58 30	do	single	unknown	Sacramento	do	dementia	unknown	do	do	do
181 Sept 14, '57 27	do	do	do	do	do	suicidal tendency	loss of money	do	do	do
183 Sept 23, '57 41	female	single	Pennsylvania	San Francisco	do	melancholia	do	do	do	do
184 Sept 23, '57	male	unknown	unknown	do	do	do	do	do	do	do

TABLE FIRST.—CONTINUED.

An Exhibit of Patients received into, and discharged from, the Asylum, during the Eleven Months from December 31st, 1857, to November 30th, 1858, inclusive.

Number.....	Date of admission...	Age	Sex.....	Civil condition.....	Nativity	County from which committed	Duration before admission	Apparent form.....	Supposed cause.....	State of health.....	Prospect	Result.....
185	Sept 25, '57		male	single	unknown	San Francisco	unknown	melancholia	masturbation	good	unfavorable	remains
190	Oct 6, '57	32	do	do	do	Calaveras	do	periodical	unknown	do	favorable	do
191	Oct 6, '57	33	do	unknown	Missouri	do	do	dementia	masturbation	do	unfavorable	do
193	Oct 13, '57	32	do	married	New Jersey	Siskiyou	18 days	acute mania	unknown	bad	favorable	discharged
194	Oct 14, '57	55	female	do	Maryland	San Francisco	22 mon's	suicidal tendency	religious excitement	do	do	remains
195	Oct 15, '57	48	male	unknown	Kentucky	El Dorado	unknown	acute mania	dissipation	good	do	discharged
196	Oct 20, '57	33	do	do	England	San Francisco	do	dementia	unknown	do	do	do
198	Oct 20, '57	20	do	married	Mexico	Yuba	do	simple dementia	dissipation	do	favorable	do
200	Oct 22, '57	28	do	unknown	France	State prison	unknown	idiotic	unknown	bad	unfavorable	remains
201	Oct 23, '57	32	do	do	do	do	do	simple	do	good	do	do
202	Oct 26, '57		do	do	do	Tuolumne	.....	partial dementia	do	do	do	do
203	Oct 27, '57	40	do	married	Alabama	Nevada	.....	dementia	do	bad	do	do
204	Oct 27, '57	28	do	single	Missouri	do	3 weeks	melancholia	disappointment in love	good	favorable	discharged
205	Oct 28, '57	35	do	do	Ireland	do	2 weeks	partial insanity	disappointments	do	unfavorable	remains
207	Oct 30, '57	30	do	unknown	America	Alameda	unknown	do	spiritualism	do	do	do
208	Oct 31, '57	50	do	do	do	Napa	do	partial dementia	unknown	do	do	do
210	Nov 5, '57	24	do	do	do	Monterey	30 mon's	do	jealousy	do	do	do
213	Nov 6, '57	29	do	unknown	unknown	Yuba	unknown	melancholia	loss of property	do	favorable	do
214	Nov 6, '57	30	do	single	Missouri	San Francisco	do	simple dementia	masturbation	do	unfavorable	do
216	Nov 10, '57	40	do	married	New York	Stanislaus	do	dementia	infidelity of wife	do	do	do
217	Nov 12, '57		do	do	do	Solano	do	acute mania	unknown	.....	do	do
218	Nov 13, '57	26	do	unknown	Missouri	San Joaquin	do	dementia	hereditary	do	do	died of paralysis
219	Nov 14, '57	40	female	single	Mexico	Nevada	do	do	hereditary	good	unfavorable	remains
220	Nov 15, '57	30	do	unknown	France	Tuolumne	2 mon's	partial dementia	dissipation	bad	do	do
221	Nov 20, '57	28	male	married	California	Santa Clara	do	dementia	hereditary	good	do	do
222	Nov 21, '57	50	do	unknown	Missouri	Siskiyou	5 weeks	do	masturbation	do	do	do

225	Nov 27, '57	26	male	married	Ireland	San Joaquin	unknown	dementia	religion	good	favorable	discharged
227	Nov 28, '57			unknown	China	Amador	10 days	do	unknown	do	unfavorable	remains
228	Nov 28, '57	30	do	do	France	Sacramento	unknown	partial dementia	early immorality	do	do	do
229	Nov 29, '57	40	do	married	do	El Dorado	10 days	dementia	family trouble	do	favorable	do
231	Dec 1, '57	27	do	unknown	Germany	San Francisco	3 months	acute mania	drinking and smoking	do	do	discharged
232	Dec 2, '57	37	do	do	Portugal	Sacramento	few days	dementia	unknown	do	unfavorable	remains
233	Dec 8, '57	28	do	do	Missouri	Amador	unknown	acute mania	religious excitement	do	favorable	discharged
234	Dec 12, '57	43	female	married	Ireland	San Francisco	3 months	partial dementia	loss of child	do	do	remains
235	Dec 13, '57		male	unknown	unknown	Tuolumne	unknown	dementia	unknown	do	unfavorable	do
236	Dec 14, '57	29	do	single	Pennsylvania	Siskiyou	3 weeks	periodical insanity	masturbation	do	favorable	do
237	Dec 16, '57	20	do	married	Portugal	Santa Cruz	1 week	acute mania	unknown	bad	unfavorable	do
238	Dec 18, '57	20	female	single	Germany	Sacramento	4 days	do	hereditary	good	favorable	discharged
239	Dec 19, '57	26	male	married	unknown	Placer	do	do	child-bearing	do	do	died of [bowels
240	Dec 20, '57	60	do	do	New York	Sonoma	1 week	simple dementia	unknown	do	do	inflammation of
241	Dec 25, '57	40	female	do	Ireland	San Francisco	unknown	dementia	intemperance	good	favorable	discharged
242	Dec 28, '57	23	male	single	Germany	San Joaquin	3 weeks	do	unknown	do	do	do
243	Dec 29, '57	28	female	married	Ireland	do	2 years	do	puerperal fever	bad	unfavorable	remains
244	Dec 30, '57	28	male	unknown	America	San Francisco	unknown	do	dissipation	good	favorable	do
245	Dec 30, '57	45	do	do	China	Sacramento	do	do	unknown	do	do	do
246	Dec 30, '57	60	do	do	Massachusetts	do	do	simple	do	bad	do	discharged
247	Dec 31, '57	33	female	married	Ireland	San Francisco	do	melancholia	do	good	favorable	do
248	Dec 31, '57	35	male	unknown	Wisconsin	Trinity	do	do	do	do	do	remains
249	Jan 3, '58	40	do	do	Ireland	Santa Clara	3 weeks	partial dementia	do	do	do	do
250	Jan 3, '58		do	do	do	Sacramento	do	do	do	do	do	do
251	Jan 5, '58	35	do	single	France	San Francisco	1 month	simple dementia	injury of head	do	do	[heart
252	Jan 5, '58	33	do	do	America	Calaveras	unknown	partial dementia	masturbation	do	do	died of disease of the
253	Jan 7, '58	29	do	do	Ohio	Yuba	2 months	simple dementia	freemasonry	do	do	died of marasmus
254	Jan 7, '58	37	do	do	Maine	do	unknown	dementia	unknown	good	favorable	discharged
255	Jan 8, '58	30	do	do	Chile	State-prison	do	simple dementia	do	do	unfavorable	remains
256	Jan 8, '58	35	do	do	Italy	do	do	do	do	do	favorable	do
257	Jan 10, '58	29	do	do	Missouri	San Francisco	2 weeks	dementia	loss of money	do	do	discharged
258	Jan 10, '58	35	do	unknown	England	do	3 months	acute mania	puerperal fever	do	unfavorable	remains
259	Jan 10, '58	32	female	married	Missouri	Sonoma	3 years	periodical insanity	intemperance	good	favorable	discharged
260	Jan 13, '58	33	male	do	New York	San Joaquin	3 months	partial dementia	pecuniary embarrassment	do	do	do
261	Jan 13, '58	56	do	do	Pennsylvania	El Dorado	3 months	suicidal tendency	loss of money	do	unfavorable	removed
262	Jan 13, '58	38	do	unknown	Ireland	San Francisco	unknown	acute mania	unknown	do	unfavorable	discharged
263	Jan 15, '58	37	do	do	Germany	do	do	periodical insanity	do	bad	unfavorable	remains
264	Jan 15, '58	40	do	married	Ireland	do	do	dementia	loss of property	do	do	do
265	Jan 15, '58	70	do	unknown	do	Sierra	4 months	partial dementia	unknown	good	favorable	discharged
266	Jan 16, '58	17	do	single	Wisconsin	San Joaquin	unknown	acute mania	unknown	do	do	do
267	Jan 16, '58	28	do	do	New York	Butte	3 weeks	acute mania	masturbation	bad	unfavorable	remains
268	Jan 20, '58	37	female	do	Germany	Sacramento	8 months	idiotic	unknown	do	unfavorable	do
269	Jan 21, '58	43	male	married	Ireland	San Francisco	3 weeks	partial dementia	dissipation	good	favorable	eloped

TABLE FIRST—CONTINUED.

An Exhibit of Patients received into, continuing in, and discharged from, the Asylum, during the Eleven Months from December 31st, 1857, to November 30th, 1858, inclusive.

Number	Date of admission...	Age	Sex	Civil condition.....	Nativity	County from which committed	Duration before admission.....	Apparent form.....	Supposed cause.....	State of health.....	Prospect	Result
270	Jan 21, '58	28	male	single	Germany	San Joaquin	few days	partial dementia	unknown	good	unfavorable	remains discharged
271	Jan 23, '58	35	do	do	Michigan	Sierra	unknown	simple dementia	do	do	favorable	remains discharged
272	Jan 26, '58	32	do	married	Kentucky	Marin	2 months	do	loss of property	do	unfavorable	remains discharged
273	Jan 26, '58	32	female	unknown	Mexico	San Francisco	unknown	dementia	unknown	do	do	do
274	Jan 31, '58	47	do	married	Ohio	do	2 months	acute mania	do	do	do	removed
275	Feb 1, '58	23	male	unknown	Ireland	Tuolumne	unknown	simple	fright	do	do	died of debility
276	Feb 7, '58	21	do	single	Missouri	San Francisco	8 days	acute mania	masturbation	good	favorable	eloped
277	Feb 8, '58	30	do	do	Denmark	Shasta	1 month	dementia	unknown	do	do	discharged
278	Feb 8, '58	30	do	married	Illinois	do	2 weeks	acute mania	do	do	do	do
279	Feb 9, '58	28	do	single	Germany	San Joaquin	1 week	melancholia	disappointment in love	do	do	do
280	Feb 11, '58	28	female	do	Ireland	Yuba	10 days	do	unknown	do	do	remains
281	Feb 14, '58	30	male	unknown	Germany	Calaveras	unknown	partial dementia	spiritualism	do	unfavorable	discharged
282	Feb 14, '58	33	do	do	Wisconsin	Amador	3 months	melancholia	disappointment in love	do	do	do
283	Feb 18, '58	35	female	single	Ireland	San Francisco	6 weeks	do	loss of property	do	do	do
284	Feb 18, '58	28	male	do	do	San Joaquin	4 months	simple dementia	unknown	do	favorable	eloped
285	Feb 24, '58	30	do	do	Chile	Santa Clara	unknown	periodical insanity	love	do	do	discharged
286	Feb 24, '58	23	do	do	Ireland	Sacramento	3 months	dementia	epilepsy	do	do	remains
287	Feb 25, '58	19	do	do	Ohio	Sonoma	1 year	do	charge of malpractice	bad	do	died of marasmus
288	Feb 27, '58	40	do	married	Germany	Los Angeles	6 months	acute mania	unknown	good	favorable	eloped
289	Feb 27, '58	25	do	unknown	Switzerland	Monterey	unknown	dementia	do	do	do	remains
290	Feb 27, '58	30	do	do	Mexico	Sierra	do	do	epilepsy	bad	do	do
291	Feb 27, '58	6	do	single	Missouri	Yolo	5½ years	epileptic fits	unknown	do	do	do
292	Mar 4, '58	28	do	do	Louisiana	Sacramento	1 week	dementia	unknown	do	do	do
293	Mar 4, '58	32	female	married	Ireland	Nevada	7 weeks	acute mania	puerperal fever	good	do	discharged
294	Mar 6, '58	24	male	single	Illinois	Humboldt	6 weeks	simple	masturbation	do	do	do
295	Mar 6, '58	30	do	married	France	San Francisco	1 week	acute mania	unknown	do	do	do

297	Mar 7, '58	33	female	single	Irishman	El Dorado	4 years	periodical insanity	Mormonism	good	unfavorable	discharged
298	Mar 8, '58	33	female	married	do	Calaveras	5 days	acute mania	misfortune	.....	do	remains
299	Mar 12, '58	30	male	do	do	Sonoma	4 years	monomania	miscarriage	good	favorable	discharged
300	Mar 12, '58	22	do	single	Germany	El Dorado	unknown	partial dementia	unknown	.....	unfavorable	remains
301	Mar 12, '58	24	do	do	France	Yuba	2 weeks	simple dementia	do	.....	do	do
302	Mar 13, '58	21	female	married	America	do	1 month	idiotic	masturbation	.....	.....	died of consumption
303	Mar 13, '58	28	do	do	Ireland	San Joaquin	2 months	acute mania	puerperal fever	good	favorable	removed
304	Mar 13, '58	24	male	unknown	unknown	Mariposa	unknown	simple dementia	unknown	bad	unfavorable	remains
305	Mar 20, '58	25	do	single	New York	Nevada	do	dementia	do	good	favorable	do
306	Mar 16, '58	28	do	do	America	San Joaquin	do	do	masturbation	bad	do	discharged
307	Mar 16, '58	47	female	married	Ohio	Placer	4 months	partial dementia	syphilis	good	unfavorable	remains
308	Mar 18, '58	30	male	single	Ireland	Sacramento	6 weeks	acute mania	unknown	good	do	do
309	Mar 21, '58	48	do	unknown	unknown	Calaveras	unknown	dementia	do	.....	.....	died of marasmus
310	Mar 21, '58	25	do	single	China	Amador	2 months	acute mania	failure of mining claim	good	unfavorable	remains
311	Mar 23, '58	25	female	do	Mexico	State-prison	5 months	simple	unknown	do	do	do
312	Mar 23, '58	37	male	married	Virginia	San Francisco	2 months	dementia	dissipation	good	favorable	discharged
313	Mar 23, '58	28	do	single	Pennsylvania	Placer	10 days	acute mania	religion	do	unfavorable	remains
314	Mar 24, '58	30	do	do	Germany	San Francisco	unknown	suicidal tendency	unknown	do	favorable	discharged
315	Mar 24, '58	40	do	do	Alabama	do	2 weeks	dementia	do	.....	.....	died of erysipelas
316	Mar 24, '58	46	do	unknown	Austria	Amador	2 months	do	do	good	do	remains
317	Mar 25, '58	34	do	married	S. Carolina	Nevada	2 months	simple dementia	spiritualism	.....	unfavorable	do
318	Mar 25, '58	26	do	single	Canada	El Dorado	4 months	suicidal tendency	love	do	favorable	discharged
319	Mar 26, '58	26	do	do	Isle of Skye	Yuba	4 months	melancholia	masturbation	do	do	remains
320	Mar 31, '58	26	do	do	Ireland	San Joaquin	2 months	dementia	unknown	do	do	do
321	April 1, '58	24	do	do	Nova Scotia	Tuolumne	1 week	do	do	good	do	do
322	April 2, '58	39	do	do	Ireland	San Francisco	1 year	periodical insanity	do	do	unfavorable	remains
323	April 2, '58	30	do	unknown	Ireland	San Francisco	unknown	dementia	do	good	do	do
324	April 2, '58	21	do	single	Germany	do	do	acute mania	loss of property	.....	.....	[bowels
325	April 2, '58	48	do	married	Louisiana	San Joaquin	2 months	dementia	unknown	.....	.....	died of inflammation of
326	April 2, '58	27	female	do	Germany	Placer	2 years	partial insanity	loss of property	good	unfavorable	died of marasmus
327	April 5, '58	28	male	do	Tennessee	El Dorado	1 week	dementia	avarice	do	favorable	discharged
328	April 6, '58	48	do	do	do	Nevada	1 week	do	dissipation	do	do	do
329	April 7, '58	29	do	do	Massachusetts	San Joaquin	3 months	simple	unknown	do	do	do
330	April 16, '58	37	do	do	Kentucky	Butte	2 months	do	do	do	unfavorable	remains
331	April 10, '58	34	female	married	New York	San Mateo	3 weeks	acute mania	do	do	favorable	discharged
332	April 10, '58	28	male	single	Germany	Calaveras	2 months	do	avarice	do	do	do
333	April 11, '58	27	do	do	Italy	Amador	1 month	dementia	unknown	do	do	do
334	April 12, '58	40	do	do	Ireland	Los Angeles	unknown	idiotic	masturbation	.....	.....	do
335	April 14, '58	30	do	do	Germany	San Francisco	do	do	unknown	do	favorable	died of asphyxia
336	April 14, '58	24	do	do	Ireland	do	1 year	simple dementia	do	good	unfavorable	remains
337	April 14, '58	39	do	married	Germany	do	unknown	simple	do	do	favorable	do
338	April 14, '58	31	do	single	do	do	do	dementia	do	.....	.....	died of consumption

TABLE FIRST—CONTINUED.

An Exhibit of Patients received into, continuing in, and discharged from, the Asylum, during the Eleven Months from December 31st, 1857, to November 30th, 1858, inclusive.

Number	Date of admission...	Age	Sex.....	Civil condition.....	Nativity	County from which Committed	Duration before admission	Apparent form.....	Supposed cause.....	State of health.....	Prospect	Result.....
339	April 14, '58	23	male	unknown	Mexico	San Francisco	10 days	dementia	unknown	bad	unfavorable	remains
340	April 14, '58	42	do	single	Germany	Amador	2 years	periodically insane	avarice	good	favorable	do
341	April 16, '58	33	do	do	do	Mariposa	2 months	simple dementia	unknown	do	unfavorable	do
342	April 19, '58	30	do	unknown	do	Del Norte	6 months	do	do	bad	do	do
343	April 23, '58	18	do	single	New York	San Francisco	2 months	epileptic fits	epilepsy	good	favorable	discharged
344	April 23, '58	37	do	do	Ireland	do	15 months	periodical insanity	.....	good	unfavorable	remains
345	April 23, '58	43	do	unknown	France	do	unknown	dementia	unknown	bad	do	do
346	April 24, '58	42	do	do	do	Tuolumne	do	acute mania	do	do	do	do
347	April 27, '58	40	do	married	New York	Los Angeles	6 weeks	do	dissipation and gam-	do	do	do
348	April 27, '58	21	do	single	Ireland	San Francisco	unknown	melancholia	unknown	do	do	do
349	April 27, '58	29	do	do	Maryland	Santa Barbara	do	dementia	dissipation	bad	unfavorable	died of marasmus
350	April 27, '58	16	female	married	California	Monterey	3 months	do	unknown	good	favorable	remains
351	April 27, '58	35	do	do	Norway	Alameda	4 years	periodical insanity	fright	do	unfavorable	discharged
352	April 28, '58	26	male	do	France	Sacramento	10 days	dementia	unknown	do	do	removed.
353	April 30, '58	29	do	single	Massachusetts	Amador	1 week	acute mania	masturbation	do	favorable	remains
354	May 1, '58	29	do	do	Pennsylvania	do	2 weeks	dementia	loss of property	do	do	discharged
355	May 3, '58	23	do	do	Germany	Siskiyou	10 days	partial dementia	cataplexy	do	do	do
356	May 6, '58	26	do	do	Massachusetts	Tuolumne	unknown	do	masturbation	do	do	do
357	May 12, '58	36	female	married	Switzerland	San Francisco	5 weeks	acute mania	loss of property	.....	do	died of serofula
358	May 12, '58	27	male	single	New York	do	6 weeks	do	nervous excitement	good	favorable	discharged
359	May 14, '58	27	do	do	Vermont	Amador	3 weeks	melancholia	less of property	do	unfavorable	remains
360	May 19, '58	35	do	do	Ireland	Plumas	3 months	dementia	desire to return home	do	do	.....
361	May 19, '58	31	male	married	do	San Joaquin	10 days	dementia	unknown	do	favorable	discharged
362	May 20, '58	31	do	single	Maryland	El Dorado	2 years	periodical insanity	do	do	unfavorable	do
363	May 21, '58	47	do	do	Pennsylvania	Shasta	2 months	simple dementia	dissipation	do	favorable	discharged
364	May 21, '58	47	do	do	Scotland	San Joaquin	5 days	do	do	do	unfavorable	discharged

365	May 24, '68	28	male	single	Arkansas	Fresno	Alameda	do	unknown	18 months	religious mania	simple	syphilis	favorable	eloped
366	May 24, '67	28	do	do	do	do	do	do	do	do	do	do	religion	do	discharged
367	May 24, '68	27	do	married	Massachusetts	do	do	do	unknown	do	dementia	dementia	dissipation	do	remains
368	May 28, '68	36	do	single	S. Carolina	El Dorado	do	do	4 years	chronic mania	mania	mania	masturbation	unfavorable	discharged
369	May 29, '68	31	do	do	Spain	San Joaquin	do	do	unknown	monomania	do	do	love	favorable	remains
370	May 29, '68	35	do	unknown	France	El Dorado	do	do	do	acute mania	do	do	unknown	unfavorable	remains
371	June 1, '68	25	do	single	N. Carolina	Santa Clara	do	do	5 days	do	do	do	do	favorable	discharged
372	June 2, '68	42	do	do	Pennsylvania	San Francisco	do	do	2 weeks	dementia	do	do	do	unfavorable	died of marasmus
373	June 2, '68	36	do	single	Germany	Sacramento	do	do	2 weeks	acute mania	mania	mania	do	favorable	discharged
374	June 8, '68	27	female	married	Ireland	do	do	do	few days	dementia	do	do	puerperal fever	unfavorable	remains
375	June 8, '68	29	male	single	Ireland	Sierra	do	do	3 months	melancholia	do	do	unknown	unfavorable	discharged
376	June 8, '68	31	do	do	do	do	do	do	10 days	simple	do	do	loss of property	do	do
377	June 10, '68	26	do	do	Germany	Placer	do	do	unknown	monomania	do	do	unknown	unfavorable	eloped
378	June 11, '68	32	do	do	N. Brunswick	San Joaquin	do	do	5 weeks	simple dementia	dementia	do	disappointment in love	favorable	remains
379	June 13, '68	29	do	do	England	San Francisco	do	do	unknown	partial dementia	partial dementia	do	do	do	discharged
380	June 17, '68	30	do	do	Chile	Santa Barbara	do	do	3 months	acute mania	mania	mania	do	do	remains
381	June 19, '68	38	do	do	Ireland	Amador	do	do	unknown	dementia	dementia	do	do	do	discharged
382	June 20, '68	36	do	do	Illinois	Sacramento	do	do	do	partial dementia	partial dementia	do	do	do	discharged
383	June 20, '68	33	do	do	France	do	do	do	1 week	monomania	monomania	do	do	do	eloped
384	June 23, '68	40	do	married	Ireland	San Francisco	do	do	unknown	partial dementia	partial dementia	do	do	do	remains
385	June 23, '68	45	do	single	unknown	San Joaquin	do	do	19 days	suicidal tendency	suicidal tendency	do	do	do	discharged
386	June 24, '68	38	do	married	England	El Dorado	do	do	2 weeks	dementia	dementia	do	do	do	discharged
387	June 25, '68	33	do	unknown	Germany	Sierra	do	do	do	acute mania	mania	mania	do	do	remains
388	June 25, '68	20	female	do	China	Tuolumne	do	do	unknown	acute mania	mania	mania	do	do	do
389	July 2, '68	30	male	single	Germany	San Francisco	do	do	4 months	partial insanity	partial insanity	do	do	do	do
390	July 4, '68	65	do	married	Virginia	do	do	do	3 weeks	melancholia	melancholia	do	do	do	died of marasmus
391	July 4, '68	24	female	do	Indiana	San Joaquin	do	do	3 years	simple	simple	do	dissipation	favorable	discharged
392	July 4, '68	31	male	single	New York	Sacramento	do	do	9 days	acute mania	mania	mania	puerperal fever	unfavorable	remains
393	July 5, '68	36	do	do	France	San Francisco	do	do	do	acute mania	mania	mania	masturbation	do	do
394	July 5, '68	30	do	unknown	China	Mariposa	do	do	unknown	dementia	do	do	unknown	do	died of acute mania
395	July 8, '68	25	female	single	Mexico	Yuba	do	do	3 months	monomania	monomania	do	spiritualism	unfavorable	remains
396	July 12, '68	37	male	married	Ohio	Sacramento	do	do	10 days	dementia	dementia	do	do	favorable	discharged
397	July 14, '68	33	female	do	Ireland	San Francisco	do	do	unknown	dementia	do	do	unknown	do	do
398	July 14, '68	41	male	do	Massachusetts	do	do	do	2 months	dementia	dementia	do	dissipation	do	do
399	July 14, '68	26	do	single	Michigan	Sacramento	do	do	unknown	partial dementia	partial dementia	do	religion	do	remains
400	July 16, '68	46	do	do	Ireland	San Francisco	do	do	3 weeks	acute mania	mania	mania	unknown	do	discharged
401	July 24, '68	63	do	married	Virginia	El Dorado	do	do	2 weeks	dementia	dementia	do	do	do	do
402	July 25, '68	50	female	single	Bavaria	Santa Clara	do	do	1 month	dementia	dementia	do	do	do	died of marasmus
403	July 25, '68	30	male	do	America	Siskiyou	do	do	6 weeks	monomania	monomania	do	do	unfavorable	remains
404	July 28, '68	25	do	unknown	America	Yuba	do	do	6 months	dementia	dementia	do	do	do	do
405	July 27, '68	30	female	single	Germany	San Francisco	do	do	2 weeks	monomania	monomania	do	dissipation	favorable	do
406	July 27, '68	36	do	do	Ireland	do	do	do	3 weeks	dementia	dementia	do	unknown	do	discharged
407	July 27, '68	34	male	do	Germany	do	do	do	do	dementia	dementia	do	fear of being robbed	do	do

TABLE FIRST.—CONTINUED.

An Exhibit of Patients received into, continuing in, and discharged from, the Asylum, during the Eleven Months from December 31st, 1857, to November 30th, 1858, inclusive.

Number	Date of admission...	Age	Sex.....	Civil condition	Nativity	County from which committed.....	Duration before admission	Apparent form.....	Supposed cause.....	State of health	Prospect	Result.....
408	July 27, '58	60	male	known	California	Los Angeles	unknown	simple dementia	unknown	good	unfavorable	remains
409	July 28, '58	20	do	single	Ecuador	Sacramento	2 weeks	melancholia	do	do	do	do
410	July 30, '58	22	do	do	New York	do	3 weeks	dementia	do	do	favorable	discharged
411	July 31, '58	23	do	do	Germany	State-prison	unknown	do	do	do	.....	returned to S-prison
412	July 31, '58	30	do	do	do	do	do	feigned insanity	do	do	.....	do
413	Aug 1, '58	30	do	do	Ireland	El Dorado	3 weeks	dementia	neuralgia	bad	.....	died of paralysis
414	Aug 1, '58	30	female	married	do	San Joaquin	unknown	simple dementia	puerperal fever	good	unfavorable	remains
415	Aug 6, '58	26	male	single	do	San Francisco	22 months	partial dementia	neuralgia	bad	do	do
416	Aug 7, '58	38	do	do	Denmark	Calaveras	unknown	do	unknown	good	favorable	discharged
417	Aug 8, '58	33	do	do	Ireland	Sacramento	4 months	dementia	dissipation	do	do	eloped
418	Aug 10, '58	48	do	do	Madeira	San Francisco	3 weeks	monomania	unknown	do	unfavorable	remains
419	Aug 10, '58	28	do	do	Germany	do	2 years	partial insanity	do	do	do	do
420	Aug 10, '58	30	do	do	Ireland	do	6 months	dementia	do	do	do	do
421	Aug 10, '58	35	do	unknown	France	do	3 weeks	do	do	do	do	discharged
422	Aug 11, '58	16	female	married	California	Monterey	7 weeks	partial dementia	dissipation	do	do	remains
423	Aug 11, '58	21	do	single	Missouri	San Joaquin	3 weeks	monomania	unknown	do	unfavorable	discharged
424	Aug 12, '58	40	male	do	England	Santa Clara	unknown	do	do	do	favorable	remains
425	Aug 12, '58	30	do	do	New York	do	7 months	acute mania	do	do	unfavorable	discharged
426	Aug 18, '58	24	do	married	Delaware	Tuolumne	7 months	do	child-bearing	do	favorable	remains
427	Aug 20, '58	17	female	do	New York	San Francisco	2 weeks	periodical insanity	unknown	do	unfavorable	do
428	Aug 21, '58	30	do	single	Germany	do	4 years	dementia	fever and ague	do	unfavorable	do
429	Aug 26, '58	22	male	do	Ireland	Nevada	2 weeks	do	unknown	do	favorable	do
430	Aug 28, '58	45	female	unknown	do	San Francisco	8 months	periodical insanity	unknown	do	unfavorable	discharged
431	Aug 28, '58	33	male	married	Mexico	do	unknown	do	do	do	do	remains
432	Aug 28, '58	30	do	single	Poland	Humboldt	4 months	dementia	do	do	unfavorable	do
433	Aug 29, '58	30	do	do	Austria	do	3 months	periodical insanity	do	do	unfavorable	do

DATE	SEX	MARRIAGE	RELIGION	EDUCATION	PROFESSION	RESIDENCE	DATE OF DEATH	CAUSE OF DEATH	DISPOSITION OF REMAINS
435 Sept 2, '58	male	single	Switzerland	do	do	Calaveras	1 week	acute mania	do
436 Sept 3, '58	do	do	Chile	do	do	do	4 weeks	dementia	do
437 Sept 4, '58	do	do	Ohio	do	do	Santa Clara	6 weeks	dementia	do
438 Sept 7, '58	do	do	America	do	do	Butte	6 weeks	acute mania	do
439 Sept 8, '58	do	do	Mexico	do	do	San Francisco	5 days	dementia	do
440 Sept 8, '58	do	unknown	do	do	do	do	unknown	dementia	do
441 Sept 8, '58	do	single	Calcutta	do	do	do	1 month	partial dementia	do
442 Sept 9, '58	do	do	Germany	do	do	El Dorado	2 weeks	dementia	do
443 Sept 14, '58	female	unknown	America	do	do	Sacramento	unknown	acute mania	do
444 Sept 14, '58	do	single	Ohio	do	do	Tehama	2 weeks	dementia	do
445 Sept 15, '58	do	do	Portugal	do	do	San Francisco	6 weeks	acute mania	do
446 Sept 15, '58	female	married	Kentucky	do	do	Sonoma	4 weeks	acute mania	do
447 Sept 15, '58	do	do	do	do	do	San Francisco	3 months	sun-stroke	do
448 Sept 15, '58	male	single	Germany	do	do	Stanislaus	1 week	disappointment	do
449 Sept 17, '58	female	do	Ireland	do	do	do	2 months	dementia	do
450 Sept 17, '58	do	do	New York	do	do	Sacramento	4 years	partial insanity	do
451 Sept 22, '58	do	do	Ireland	do	do	Sierra	6 weeks	partial dementia	do
452 Oct 3, '58	do	do	Germany	do	do	Mariposa	2 weeks	acute mania	do
453 Oct 5, '58	do	do	do	do	do	San Joaquin	2 months	do	do
454 Oct 5, '58	female	do	Ireland	do	do	Sacramento	4 months	periodical insanity	do
455 Oct 6, '58	male	do	Germany	do	do	San Joaquin	1 year	melancholia	do
456 Oct 6, '58	do	married	Kentucky	do	do	Tuolumne	3 weeks	do	do
457 Oct 7, '58	do	do	Massachusetts	do	do	San Francisco	2 weeks	acute mania	do
458 Oct 7, '58	do	single	do	do	do	do	unknown	dementia	do
459 Oct 7, '58	do	do	France	do	do	Yuba	3 weeks	acute mania	do
460 Oct 7, '58	do	do	Tennessee	do	do	do	3 months	acute mania	do
461 Oct 7, '58	do	do	China	do	do	El Dorado	do	dementia	do
462 Oct 8, '58	do	do	Arkansas	do	do	Calaveras	do	do	do
463 Oct 9, '58	do	unknown	Germany	do	do	San Joaquin	do	do	do
464 Oct 19, '58	do	single	Ireland	do	do	Sacramento	unknown	epilepsy	do
465 Oct 21, '58	female	do	do	do	do	do	few days	acute mania	do
466 Oct 28, '58	do	married	New York	do	do	do	6 days	melancholia	do
467 Oct 28, '58	male	single	Germany	do	do	San Francisco	27 years	periodical insanity	do
468 Oct 30, '58	do	do	Nova Scotia	do	do	do	6 weeks	melancholia	do
469 Nov 2, '58	do	do	Mississippi	do	do	El Dorado	do	partial dementia	do
470 Nov 2, '58	do	do	America	do	do	Tuolumne	2 months	do	do
471 Nov 2, '58	female	married	Germany	do	do	Siskiyou	unknown	acute mania	do
472 Nov 2, '58	male	unknown	France	do	do	San Francisco	6 weeks	chronic mania	do
473 Nov 3, '58	do	do	do	do	do	Santa Clara	unknown	dementia	do
474 Nov 3, '58	do	do	America	do	do	San Francisco	do	partial dementia	do
475 Nov 3, '58	do	single	Pennsylvania	do	do	do	do	partial insanity	do
476 Nov 14, '58	do	do	New Jersey	do	do	El Dorado	do	do	do

TABLE FIRST.—CONTINUED.

An Exhibit of Patients received into, continuing in, and discharged from, the Asylum, during the Eleven Months from December 31st, 1857, to November 30th, 1858, inclusive.

Number.....	Date of admission...	Age	Sex.....	Civil condition.....	Nativity	County from which committed	Duration before admission	Apparent form.....	Supposed cause.....	State of health.....	Prospect	Result.....
477	Nov 17, '58	25	male	single	Germany	El Dorado	1 week	acute mania	unknown	good	unfavorable	remains
478	Nov 23, '58	40	do	unknown	America	Sacramento	unknown	partial dementia	paralysis	.....	do	do
479	Nov 24, '58	28	do	single	Alabama	Nevada	1 month	partial insanity	unknown	good	do	do
480	Nov 24, '58	22	female	do	Ireland	Sacramento	5 months	periodical insanity	disappointment	do	do	do
481	Nov 26, '58	22	male	do	Missouri	Sonoma	1 week	acute mania	unknown	do	favorable	do
482	Nov 27, '58	35	female	married	N. Carolina	San Joaquin	2 years	periodical insanity	puerperal fever	do	do	do
483	Nov 30, '58	45	male	unknown	Ireland	Butte	3 weeks	dementia	unknown	do	unfavorable	do
484	Nov 30, '58	27	female	married	West Indies	do	6 weeks	periodical insanity	do	do	do	do
485	Nov 30, '58	27	do	do	Germany	San Joaquin	2 years	dementia	puerperal fever	do	do	do
486	Nov 30, '58	25	male	single	Pennsylvania	San Francisco	1 month	partial insanity	unknown	do	do	do
487	Nov 30, '58	33	do	do	Maine	do	do	partial dementia	do	do	do	do
488	Nov 30, '58	35	do	married	France	do	10 days	monomania	do	do	do	do
489	Nov 30, '58	28	do	single	Missouri	do	3 weeks	partial dementia	do	do	do	do
490	Nov 30, '58	35	do	unknown	France	do	10 days	do	do	do	do	do

TABLE SECOND,

Shows the number of Admissions, Discharges, Deaths, and Elopements, and the Condition of the Asylum, from January 1, 1858, to November 31, 1858.

ON HAND JANUARY 1, A. D. 1858.			
Males.....	156		
Females.....	32		
Total		188	
ADMITTED SINCE JANUARY 1, 1858.			
Males.....	201		
Females.....	43		
Total		244	
Number treated since January 1, 1858.....			432
NUMBER DISCHARGED SINCE JANUARY 1, 1858.			
Males.....	88		
Females.....	24		
Total		112	
DIED SINCE JANUARY 1, 1858.			
Males.....	30		
Females	2		
Total		32	
ELOPED SINCE JANUARY 1, 1858.			
Males.....	15		
Females.....	0		
Total		15	
Total discharges, deaths, and elopements, from January 1, 1858, to November 1, 1858			159
Number remaining in Asylum, Nov. 31, 1858.....			273

TABLE THIRD,

Shows the Civil Condition of Patients who have been admitted into the Asylum from January 1, 1858, to November 31, 1858.

MARRIED.			
Male	32		
Female	25		
Total			57
SINGLE.			
Male	134		
Female	14		
Total			148
UNKNOWN.			
Male	35		
Female	4		
Total.....			39
Number admitted			244

TABLE FOURTH,

Shows the Form of Insanity under which those have labored who have been admitted into the Asylum from January 1, 1858, to November 31, 1858.

Form.	No.
Dementia	63
Acute Mania.....	40
Partial Dementia.....	41
Simple Dementia.....	18
Melancholia	16
Periodical Insanity.....	16
Monomania	15
Simple	9
Partial Insanity.....	8
Chronic Mania.....	6
Idiotic	4
Suicidal Tendency.....	4
Epileptic Fits	2
Religious Mania.....	1
Feigned Insanity.....	1
Total	244

TABLE FIFTH,

Shows the supposed Cause of Insanity, in those who have been admitted into the Asylum from January 1, 1858, to November 31, 1858.

Supposed Cause.	No.
Masturbation.....	19
Dissipation.....	15
Loss of Property.....	12
Puerperal Fever.....	10
Disappointment in Love.....	4
Spiritualism	4
Epilepsy	4
Syphilis.....	4
Religion.....	4
Loss of Money.....	3
Avarice.....	3
Love	3
Fright.....	2
Neuralgia	2
Injury of Head.....	1
Freemasonry	1
Paralysis.....	1
Charge of Malpractice	1
Mormonism.....	1
Misfortune	1
Miscarriage.....	1
Failure of Claim	1
Catalepsy	1
Nervous Excitement	1
Desire to return Home	1
Child-bearing.....	1
Fear of being Robbed.....	1
Fever and Ague.....	1
Jealousy	1
Excessive use of Quinine.....	1
Sun-Stroke	1
Disappointment.....	2
Unknown.....	136
Total	244

TABLE SIXTH,

Shows the number of Patients committed from the respective Counties, from January 1, 1858, to November 31, 1858.

Counties.	Male.	Female	Total.
Alameda	2	1	3
Amador.....	9	0	9
Butte.....	4	1	5
Calaveras.....	8	1	9
Del Norte.....	1	0	1
El Dorado.....	16	0	16
Fresno.....	1	0	1
Humboldt.....	2	0	2
Los Angeles.....	4	0	4
Marin.....	1	0	1
Mariposa.....	4	0	4
Monterey.....	1	2	3
Nevada.....	5	1	6
Placer.....	2	2	4
Plumas.....	1	0	1
Sacramento.....	20	6	26
San Francisco.....	58	12	70
San Joaquin.....	18	6	24
San Mateo.....	0	1	1
Santa Barbara.....	2	0	2
Santa Clara.....	7	1	8
Shasta.....	3	0	3
Sierra.....	6	0	6
Siskiyou.....	3	0	3
Solano.....	0	1	1
Sonoma.....	3	3	6
State-Prison.....	4	1	3
Tehama.....	1	0	1
Tuolumne.....	7	1	8
Stanislaus.....	0	1	1
Yolo.....	1	0	1
Yuba.....	7	2	9
Total.....	201	43	244

TABLE SEVENTH,

Shows the amount received for board, and the amount taken from the Patients who have been admitted into the Asylum from Jan. 1, 1858, to Nov. 30, 1858.

Balance on hand, Jan. 1, 1858:			
On account of Asylum.....	\$186 99		
On account of Patients.....		\$394 87	
Total..			\$581 86
RECEIVED.			
On account of Asylum.....	1,334 33		
On account of Patients.....		723 95	
Total.....			2,058 28
EXPENDED.			
			2,640 14
On account of Asylum, for transportation of discharged Patients, re-capture of Escapes, etc.....	1,255 25		
Returned to Patients.....		999 10	
Total			2,254 35
Balance on hand:			
On account of Asylum.....	266 07		
On account of Patients		119 72	
Total on hand.....			385 79



ANNUAL REPORT

OF THE

Board of State-Prison Directors,

FOR

THE YEAR 1858.

JOHN O'MEARA.....STATE-PRINTER.

ANNUAL REPORT.

OFFICE OF BOARD OF DIRECTORS OF STATE PRISON, }
February 1, 1859.

To the Legislature of California :

In compliance with the ninth section of the "Act for the government of the State-Prison convicts, and to provide for the location of a Branch-Prison," the undersigned respectfully report to your honorable bodies.

As but one copy has been prepared, we beg that the other branch of the Legislature may be informed of its reception.

Our efforts have been constantly directed to reduce the expenses of the Prison, increase the physical comforts of the convicts, and lessen the number of escapes.

In regard to the first, it will be seen that the whole amount drawn from the Treasury under the Act of April twenty-sixth, one thousand eight hundred and fifty-eight, for the support of the Prison, is sixty-three thousand eight hundred dollars. The amount expended for wood in burning brick, and in purchasing materials for the buildings erected, which were absolutely necessary, is forty-one thousand three hundred and one dollars and eleven cents.

The statement prepared by the Warden will show that the ordinary expenses during the eight months ending on thirty-first December, amount to thirty-five thousand four hundred and thirty-eight dollars and thirty-six cents, being an average of four thousand four hundred and twenty-nine dollars and 79 cents per month.

It will also be seen that the cost of the daily ration, including officers and employés, is a fraction less than thirteen cents to each. The account current will show that the cash received as the proceeds of Prison labor, is twenty-two thousand eight hundred and fifty-eight dollars and eight cents. In order that we might be relieved from the suspicion of unfairness, we secured the services of two practical builders, disconnected entirely with the Prison, to measure and fix the value of the buildings and other improvements made by the prisoners. Their statement will show that during the months of March and April, when the Prison was in charge of the Governor, the labor was worth eleven thousand three hundred and forty-four dollars and thirteen cents, and during the succeeding eight

months the whole labor, (including brick and stone on hand at market prices,) seventy-seven thousand five hundred and twenty-three dollars and thirty-eight cents.

The account would stand thus :

Labor of convicts, and stock added to Prison during eight months.....	\$77,523 38
Cash received from State Treasury.....	54,861 61
Balance in favor of Prison	\$22,661 77

One of the old Board of Directors estimated the ordinary expenses of feeding, clothing, and guarding six hundred prisoners, at one hundred and eighty thousand dollars per annum, or fifteen thousand dollars per month.*

It will be seen that although one hundred were discharged during the eight months ending with the past year, there is still an increase of forty-five prisoners, and it is quite probable that, before the present session of the Legislature closes, it will exceed six hundred. Now, when it is remembered that we have only sixty-two cells (including those nearly completed.) you will perceive at once the crowded condition of the Prison. The building now nearly finished will provide accommodations for some one hundred or more prisoners. It is not deemed advisable to make permanent provision for more than three hundred and fifty convicts at that point.

Attention is also called to the fact that there are eighty-two convicts under the age of twenty-one years. As at present situated, it is believed that nine out of ten of these youths will leave the prison worse than when they entered—a majority of them utterly ruined. The necessity of making some provision for this class of criminals is so apparent that we only direct your attention to it. The tables will also show that two hundred and forty-eight of the convicts are Americans by birth, and the remaining three hundred and thirty-four are either foreigners or native Californians. The number not able to read or write is set down at one hundred and eighty-four; able to read and write, three hundred and seventy-seven; number able to read, three hundred and ninety-eight.

This statement will show that ignorance and crime are closely allied.

Your attention is invoked to the Statistical Tables which accompany the Report of the Warden, as to the ages, nativities, etc., of the prisoners. Believing that no good, and much harm, might result from the publication of the names of the convicts, we deem it proper to withhold them, unless desired by the General Assembly.

Our experience during the past year has entirely satisfied us that the ordinary expenses, whilst the number of convicts is under six hundred, ought never to exceed five thousand dollars per month. We respectfully

* Gov. Johnson says, in his second Annual Message: "During the incumbency of the first Board of Directors the expenditures, including the amount allowed by them for the erection of the Prison-wall, were three hundred and eighty-two thousand two hundred and twenty-six dollars and eighty-four cents, in the space of seven months, being a monthly average of fifty-four thousand six hundred and three dollars and eighty-three cents, and during the time it was under the management of their successors—from the first of January to the twenty-sixth of April, one thousand eight hundred and fifty-six—the expense incurred by them was ninety-three thousand one hundred and eighty-six dollars and thirty-nine cents, being an average per month of twenty-four thousand one hundred dollars, or, within the space of less than eleven months, costing four hundred and seventy-five thousand four hundred and thirteen dollars and thirty-two cents."

refer you to the detailed Report of the Warden, as to the finances of the Prison.*

It is proper to remark that when this office (Chief-Warden) was created a resolution was adopted, expressly declaring that no one but a Director could hold it, and no compensation whatever should be attached to it. It was then expected that the other Directors would occasionally relieve the Lieutenant-Governor. The other two Directors visited San Quentin twice a month, and spent, altogether, some forty-five days at the Prison, since the organization of the Board.

As to the physical comforts of the prisoners, we think it will be found that they have been very much improved, since the State took charge of the Prison.

The report of the Physician will show that there has been very little sickness amongst them. In regard to escapes, we are compelled to say that so long as the prisoners are employed outside of the walls, and upon boats, they can not be entirely prevented. During the past ten months, nineteen have escaped, and nearly all of them from the boats, which were necessarily employed in transporting wood and brick to and from the Prison. During the year, however, we have recaptured twenty-six prisoners who had previously escaped. To abolish the "trust system," which has always prevailed at this Prison, would increase the expenses at least one thousand dollars per month. It is gratifying, however, to be able to show that escapes are much less frequent than in former years. The whole number who have escaped since the State took possession (ten months,) is, as before stated, nineteen; average number of prisoners, five hundred and fifty-two. During the previous year, there were seventy-two escapes, and the average annual number, from January first, one thousand eight hundred and fifty-four to March first, one thousand eight hundred and fifty-eight, is found to be sixty-four. During this period the average number of convicts was four hundred and thirty-eight.

Whilst we are not advocates of the policy of deriving revenue from the labor of convicts, they should be made, if possible, to support themselves. They are imprisoned because they have, by their conduct, rendered themselves unfit for society, and society ought not to be taxed, if it can be avoided, for their support. Aside from the profits of daily labor, it is a decided blessing to the prisoner. Deprive him of it, and he broods over his misfortunes, and the wrongs which he thinks society has inflicted upon him, in a spirit of revenge, until his health is impaired, and his heart becomes insensible to all honest impulses. When proper accommodations can be provided, we think that associated labor and solitary confinement will be found the best system. It will be seen, by the Report, that there are only a small number of convicts who are mechanics, and this, of course, operates against the interests of the Institution. It is proposed, as soon as the building which is now being erected is completed, to put the young, whose sentence has two years or more to run, in the shops, and endeavor to learn them trades. In this way we can, perhaps, elevate their characters, instil into their minds the necessity of labor, and, by giving them a trade by means of which they could obtain a liveli-

* Great credit is due to Lieutenant-Governor Walkup, for the rigid economy practiced in the management of the Institution. He spent his whole time at the Prison, in discharging the duties of Chief-Warden, and, as there are some doubts whether the compensation allowed by the tenth section of the Act creating the Board can be legally drawn, we recommend the Legislature to remove the difficulty. He has received for his services only seventy-five dollars per month, a compensation, of course, wholly inadequate to the position which he occupied.

hood when thrown again upon society, make them useful in their day and generation. How much better—how much cheaper, (if it is regarded as a question of economy,) to give them a useful trade, than to throw them upon the world poor and penniless, ignorant of any handicraft, and thus compelled to seek their old associates in crime, and again return, to be supported in Prison. Aside from the moral obligation resting upon us to do all in our power to reclaim the unfortunate violators of the law, and prepare them for usefulness in this world, and happiness in that which is to come, we are bound, as men looking to the present and future welfare of the State, to use all the means at our command to prevent them from again depredating upon the community.

So far as the future employment of the convicts is concerned, we deem it proper to submit a few observations.

The clay for the manufacture of bricks on the Prison-grounds is entirely exhausted, and if this branch of labor is continued, (as we think it should be,) land adjacent to the Prison, of a suitable character, must be obtained. It is probable, however, that the owners, taking advantage of the necessities of the State, may demand an exorbitant price. This is generally the case wherever the Government is at the mercy of individuals. It is not doubted, however, that a sufficient number of convicts can be profitably employed in the manufacturing, say, one-half the quantity which was made during the past season. In the meanwhile, the mechanics—Shoemakers, Tailors, and Blacksmiths—will be required to supply the wants of the Prison. Beyond this they could not go, even if it were desirable.

The Act creating the Board of Directors prohibited them from creating any debt or liability against the State. Having expended, in round numbers, twenty-four thousand dollars, in the purchase of wood, for manufacturing brick, and finding but a limited demand for them, we anticipated that the whole appropriation would be exhausted before the meeting of the Legislature, and hence no site for a Branch-Prison was purchased. A site can be purchased at or near Folsom, embracing, it is supposed, immense quantities of granite, where, by the construction of a canal a little over a mile in length, a fall of sixty feet of water can be readily obtained. This will afford a water-power sufficient to supply an immense number of manufactories. This canal can be constructed at a very small expense to the State, and it is not doubted that a large amount of the power thus obtained can be readily disposed of, and upon remunerative terms. In the meantime, the State can use the water in the manufacture of blankets and coarse cloths, and in other branches which may be found profitable. Besides, in the manufactories which may be established by private enterprise, employment may be found for a portion of the convicts. If a site is purchased, in our judgment the better plan would be to put up a building, with free labor, of sufficient dimensions to accommodate seventy-five or one hundred prisoners, before a convict is removed. Then, as fast as accommodations are provided, send them up, until San Quentin is reduced to the proper number. This would be found cheaper than to attempt to work convicts before safe places of confinement were secured.

If it should be determined not to purchase a site at present for a Branch-Prison, then arrangements should be made to commence building a Capitol at once. The Plaza can be fenced in, and a temporary building, for dining-room and kitchen, put up, at a small expense. The cells in the basement story of the present Capitol can readily be fitted up for the confinement of the prisoners, when not at work. An appropriation of, say,

thirty-five thousand dollars, would be sufficient to complete one wing of the Capitol, which could be done next season. A sufficient amount of brick might be obtained in the market, in exchange for brick which the State now has on hand, at San Quentin. This exchange would be profitable to both parties.

In the present crowded condition of the Prison at San Quentin, no system can be devised for the instruction of these unfortunate men, morally or intellectually. They can not be separated or classified, so as to aid those who desire to improve. There should be classification of age and character, and every effort made to reclaim the young and the novices. It is certainly no credit to the State to throw these men back upon society, worse, in all respects, than when they entered the Prison. Through the kindness of some clergymen, we have had Divine service at the Prison, occasionally, during the past year, but a moral instructor, to be useful, should see them in their daily walks; in other words, he should reside at the Prison.

It is a great mistake to suppose that all these men are hardened in crime, and beyond the reach of reform. There are many young men imprisoned, who are the victims of drinking and gambling, in whose breasts beat warm and generous hearts, and honest impulses, and if properly encouraged, would yet become useful and honorable members of society. Unfortunately, however, no opportunity is afforded at San Quentin for their improvement; but, on the contrary, those so disposed are necessarily thrown into the society of men who have abandoned all expectation of leading honest lives. Besides, after they leave the Prison, such is the uncharitableness of the world, that, with the mark of the Prison upon them, they find it almost impossible to obtain employment. They rarely find friends to extend an encouraging hand to them, and, meeting with no sympathy except amongst their old associates in crime, they come to the conclusion that society is waging an unrelenting warfare against them, and every honest impulse of their souls is destroyed. After a brief season they return to the Prison. These men are irretrievably ruined. Nothing short of Omnipotent Power can save them. There are others, again, who, under proper discipline, might be restored to their friends, and, in the end, prove useful citizens. Certainly, it is the duty of the State to use all the means at her command to accomplish this humane work. It will be seen, from the Report of the Warden, that although the Prison was only established eight years since, there are already seventy-one convicts confined for the second offence. Many of these men, if they had the means, would, upon their discharge, leave the State, and probably, amongst strangers, reform and become useful. To remain here, the chances are that at least eight out of ten of those convicted of larceny, and felonies of that character, will again plunder on society, or return to the Prison. It is, therefore, suggested, whether it would not be sound policy to make a small appropriation, to pay the expenses of sending those who desired out of the State.

As a reformatory measure, we would recommend a small appropriation to purchase books for the use of the convicts. If a proper selection could be made, it is not doubted that much good could be effected in this way, whilst their sufferings would be alleviated. Salutary impressions might be made upon hearts and consciences which otherwise could not be reached.

In regard to the proper character of punishment to be inflicted upon refractory convicts we have only a few observations to submit. There is no subject upon which a greater diversity of opinion exists. In many

prisons, corporal punishment is still resorted to, and in others dungeons, and short allowances and shower-baths are adopted. We deem it impossible to make the punishments uniform for the same offence, because the varied characters, natures, habits and education of the convicts, ought to be considered. In order to be a punishment, it must be such as to touch the pride or feelings of the offender. There are convicts who would think it no punishment whatever to be released from work and locked up in a dungeons. There are others again who could take a reasonable number of stripes with great composure, but who could not bear the lonesomeness of the dungeon. At San Quentin, almost every portion of the globe is represented. A system of punishment which might be expedient for the Mongolian and African race would not effect the object amongst other races. We think, however, that corporal punishment should be resorted to as seldom as possible, and that the habitual punishment should be confinement in the dungeon on bread and water. Entertaining this opinion, we have prepared dungeons in the building now nearly completed, where, if necessary, some fifty-six can be confined. The officers of the Prison have been instructed to treat these men as human beings entitled to commiseration, and who may yet become useful citizens. In their intercourse with them they are to receive all the kindness compatible with their security. The convict is sent to the Prison to be deprived of his liberty, and compelled to labor as an expiation of his crime, and any other punishment besides that which is absolutely necessary to accomplish this and enforce the discipline of the Prison is not only unlawful, but inhuman. It is quite an easy matter to secure the services of overseers who will take care that the convicts work and perform the duties which may be assigned them, but it is quite another, and a very difficult matter, to select men who will study the character of the prisoners placed in their charge, and earnestly attempt to find some avenue to their hearts with a view to their reformation. It is rarely, indeed, that a convict enters the Prison for the first time, who does not still retain some honest impulses, which, if properly directed by kind treatment, may win him back to the paths of virtue. When accommodations are provided, so that convicts can be classified and separated from malign influences and evil associations, this should be looked to in the selection of officers and overseers.

A copy of the rules and regulations for the government of the officers and convicts is herewith transmitted.

The vouchers, showing the disbursements on account of the Prison, have been placed, for convenience, in the Office of the Secretary of State, where they are subject to the inspection of either of your honorable bodies, or any committees which you may deem proper to appoint.

JOHN B. WELLER,	} State-Prison Directors.
JOS. WALKUP,	
FERRIS FORMAN,	

STATE-PRISON DIRECTORS, IN ACCOUNT WITH STATE OF CALIFORNIA.

By amount disbursed by Warden, as per vouchers on file.....	\$54,861 61	To amount received from the Treasurer of State, at various times.....	\$63,800 00
By amount paid, accounts accrued in March and April, as per Governor's vouchers on file in State Department.....	5,813 03		
Balance.....	3,125 36		
	<u>\$63,800 00</u>	To Balance on hand.....	<u>\$63,800 00</u>
			<u>\$3,125 36</u>



REPORT OF THE CHIEF-WARDEN.



REPORT.

To the Honorable the Board of State-Prison Directors :

GENTLEMEN :—Having been personally in charge of the Prison for the last eight months, it becomes my duty to furnish such information, financial and statistical, as will assist you in the completion of your Annual Report.

You will find, embraced in the accompanying Tables, a full and detailed statement of all transactions had at the Prison for the eight months ending December 31st, 1858.

You are respectfully referred to the Report of the Physician, A. W. Taliaferro, for information in reference to the sanitary condition of the convicts.

The officers generally have been attentive to their duties, and have manifested a praiseworthy devotion to the best interests of the Institution.

Respectfully submitted,

JOS. WALKUP.

EXHIBIT,

Showing the amount of Money received each Month, the sources from whence received, the amount expended, and the different Departments for which the Expenditures were made, from May 1, to December 31, 1858, inclusive.

MONTHS.	Received from Product of Prison Labor	Received from State Treasury	Total Receipts	Expended for Prison Labor...	Expended for Commissary and Quartermaster's Department.	Expended for Medical Department.....	Expended for Building Material.....	Expended for Quarrying Stone	Expended in Manufacture and Sale of Brick	Expended in Litigation.....	Total Expenditures.....
May .....	.....	* 10,861 61	\$10,861 61	\$1,152 01	\$2,965 67	\$100 00	\$176 25	\$51 63	\$4,969 51	.....	\$9415 07
June.....	.....	10,000 00	10,000 00	1,095 58	3,673 50	161 62	693 42	221 80	4,754 94	.....	10,600 86
July.....	\$34 00	10,800 00	10,834 00	946 55	3,712 36	100 00	770 17	127 42	5,684 69	.....	11,341 19
August.....	191 50	9,200 00	9,391 50	968 58	2,983 70	100 00	260 66	95 00	5,047 82	88 00	9,543 56
September	376 25	8,500 00	8,876 25	978 83	3,199 45	153 00	613 89	66 28	3,298 31	221 50	8,531 26
October	11,475 74	500 00	11,975 74	539 75	3,597 06	100 00	228 65	171 96	6,327 88	20 00	11,385 30
November.....	3,319 50	5,000 00	8,319 50	932 13	3,381 27	100 00	384 34	53 00	3,537 43	.....	8,368 17
December	7,461 09	.....	7,461 09	957 40	2,974 85	165 25	709 81	50 00	2,610 50	66 25	7,534 06
Total	\$22,858 08	\$54,861 61	\$77,719 69	\$7,970 63	\$26,487 86	\$979 87	\$3,837 19	\$837 09	\$36,231 08	\$395 75	\$76,739 47

* This includes amount of vouchers paid by C. L. Weller, from May first to May eighteenth, one thousand eight hundred and fifty-eight, amounting to four thousand three hundred and sixty-one dollars and sixty-one cents.

EXHIBIT,

Showing the Expenditures, for Ordinary and Extraordinary Support, for the Eight Months ending December 31, 1858.

MONTHS.	Expended for Ordinary Support.....	Expended for Extraordinary Support...	Total Expenditures
May	\$4,617 68	\$5,197 39	\$9,815 47
June.....	4,930 90	5,670 16	10,600 86
July	4,758 91	6,582 28	11,341 19
August.....	4,052 08	5,491 48	9,543 56
September	4,331 28	4,199 98	8,531 26
October.....	4,236 81	6,748 49	10,985 30
November.....	4,413 40	3,974 77	8,388 17
December.....	4,097 50	3,436 56	7,534 06
Totals	\$35,438 36	\$41,301 11	\$76,739 47
Average Monthly Expenditures for Ordinary Support.....	\$4,429 79		
Average Monthly Expenditures for Extraordinary Support.....		\$5,162 64	
Average Monthly Expenditures for Ordinary and Extraordinary Support.....			\$9,592 43

LABOR DONE, IMPROVEMENTS MADE,

AND STOCK ADDED,

TO THE STATE-PRISON OF CALIFORNIA, FROM MAY 1 TO
DECEMBER 31, 1858.

STORE-HOUSE.		
4,550 cubic feet of Stone-wall, in Basement.....	65 per ft	\$2,957 50
52 lineal feet of cut-stone Water-table	2 00	104 00
6 Stone Caps for Windows.....	7 00	42 00
2 Door-sills, one large and one common size.....	14 00	28 00
63,500 Bricks, laid in Lime-mortar.....	21 00	1,333 50
10,150 Bricks, used for paving Basement.....	20 00	203 00
160 feet of Base.....	12½	20 00
Framing 1 Girder, 4 Columns, Meat-rack and Hooks.....		80 00
Framing 30 squares of Joists.....	6 00	180 00
Framing 16 squares of Rafters.....	7 00	115 50
Framing 16½ squares of Sheathing.....	5 00	82 50
Putting on 16½ squares of Zinc-roof.....	14 00	231 00
Putting on 65 feet of Tin-gutter and Pipe.....	40	26 00
6 Windows, framed, grated, wired, sashed, and glazed	36 00	216 00
6 Windows, framed, grated, sashed, and glazed	32 00	192 00
4 Windows, framed, grated, sashed, and glazed	14 00	56 00
1 large Venitian Window, sashed and glazed....		18 00
1 large double Folding-door.....		40 00
1 large Paneled-door, framed complete.....		16 00
1,500 feet of Flooring laid.....	9 00 pr.100	135 00
Valuation.....		\$6,086 00

PRISON-OFFICE.

(Building, 40 by 20 feet, containing six rooms,
and two fire-proof vaults.)

73,000 Bricks, laid in Lime-mortar.....	21 00 per M.	\$1,533 00
Four Cut-stone Door-sills.....	7 00	28 00
Ten blocks Cut-stone, for Vaults.....	3 00	30 00
257 feet of Base.....	12 50	32 13
Framing 2,052 feet of Joists.....	6 00 p'r 100	123 12
Framing 588 feet of Roof.....	7 00 "	41 16
Framing 588 feet of Sheathing.....	5 00 "	29 40
Putting on 588 feet of Zinc-roof.....	14 00	82 32
Putting up 56 feet of Tin-gutter and Pipe.....	40 00	22 40
1,368 feet of Flooring, laid.....	9 00	123 12
1,368 feet of Ceiling, put up.....	9 00	123 12
Four Outside-doors, framed complete.....	18 00	72 00
Four Inside-doors, framed complete.....	16 00	64 00
Five Windows, framed, grated, sashed, and glazed.....	32 00	160 00
Nine Windows, framed, sashed, and glazed.....	14 00	126 00
Four Mantel-pieces.....	14 00	40 00
One large set of Outside-stairs.....		39 00

Valuation		<u>\$2,668 77</u>
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ROADS.

352 cubic yards of Earth and Rock, excavated for South Cannon Road.....	56	<u>176 00</u>
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WHARFS.

584 cubic yds. of Stone Water-wall (upper wharf)	6 00	3,504 00
2,148 cubic yds. of Filling in, (upper wharf).....	50	1,124 00
3,164 cubic yds. of Filling in, (lower wharf).....	50	1,582 00

Valuation		<u>\$6,210 00</u>
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QUARRY.

1,800 tons of Stone quarried, and on hand.....	2 50	4,500 00
830 cubic feet of Rough Ashler.....	1 50	1,245 00

Valuation		<u>\$5,745 00</u>
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NEW PRISON—(unfinished.)

16,514 cubic feet of Stone-wall, laid in mortar...	50	8,257 00
101 square feet of cut-stone Door-lintels.....	2 00	202 00
136 square feet of cut-stone Door-blocks.....	3 00	408 00
72 lineal feet of cut-stone Door-sills.....	2 00	144 00

Eighty-four lineal feet of cut-stone Window-sills	2 00	168 00
Eighty-four lineal feet of cut-stone Door and Window Heads.....	2 00	168 00
146 lineal feet of cut-stone Water-table.....	2 00	292 00
Twenty-eight Iron Eyes, bedded in cut-stone blocks	1 50	42 00
20,000 Bricks, laid in Lime-mortar.....	22 00	440 00
Valuation.....		<u>\$10,121 00</u>
BRICK-YARD.		
9,826,000 Bricks, made and burnt.....		
2,694,000 Bricks, shipped on account of J. F. McCauley.....		
3,057,900 Bricks, shipped on account of State...		
265,500 Bricks, used since March 1, 1858.....		
6,502,510 Bricks, on hand, and ready for sale....		
Estimated to be worth.....		<u>\$45,517 57</u>
LONG-ROOM.		
Seventy three-story bunks made and painted...	\$11 00	
Valuation.....		<u>\$77 00</u>
CARPENTER'S WORK.		
Building one Guard-House.....		50 00
Building a Stable 18 by 30 feet, with stalls, etc..		100 00
Making two Dirt-Carts.....	60 00	120 00
Making one Water-Cart.....		50 00
Making fifty Brick-Barrows.....	10 00	500 00
Making two Bureaus, one Wardrobe, two Wash-stands, for Officers.....		60 00
Making one Table, one Book Case, one Desk for Commissary's office.....		20 00
Making seven Bedsteads, (turned,) for Officers and Guards.....	5 00	35 00
Making three Book-cases.....	15 00	45 00
Valuation.....		<u>\$980 00</u>
PAINTING.		
Painting done—Valuation.....		<u>\$200 00</u>
STOCK, ETC., ADDED.		
Seven Mules.....		575 00
Three yoke of Oxen, one Wagon.....		380 00

1,495 pounds of Stock Hogs.....		89 70
One Seine, bought by Captain Simpton, for.....		100 00
Valuation.....		<u>\$1,144 70</u>
PRISON-YARD.		
58,900 Brick, used in paving, (1472 square yards)	18 00 per m.	1,060 20
8,757 Brick, used in curbing, (972 lineal yards.)	20 00 per m.	175 14
Valuation.....		<u>\$1,235 34</u>
YARD EAST OF PRISON.		
1,715 cubic yards rock and earth excavated.....	1 00 per c. yd.	1,715 00
1,715 cubic yards rock and earth filled in.....	37½ cts. c. yd.	643 12
Valuation.....		<u>\$2,358 12</u>
KITCHEN-YARD.		
5,160 Bricks used in paving, (129 square yards.)	18 00 per m.	92 88
Valuation.....		<u>\$92 88</u>

RECAPITULATION.

Valuation of Store-House.....	\$6,086 00
Valuation of Prison-Office.....	2,668 77
Valuation of New Prison, (unfinished).....	10,121 00
Valuation of Roads.....	176 00
Valuation of Wharfs.	6,210 00
Valuation of Quarry.....	5,745 00
Valuation of Long-room.....	770 00
Valuation of Carpenter's Work.....	980 00
Valuation of Stock, etc., added.....	1,144 70
Valuation of Yard, (Prison.).....	1,235 34
Valuation of Yard, (East of Prison.).....	2,358 12
Valuation of Kitchen.....	92 88
6,502,510 Bricks on hand, and ready for sale, estimated value.	45,517 57
Estimated Valuation of Painting done.....	200 00
	<u>\$83,305 38</u>
Deduct Amount estimated in breaking and handling of Bricks, say 826,000 at \$7 00 per m.....	5,782 00
Total.....	<u>\$77,523 38</u>

We, the undersigned, having been called upon by the Acting Warden, have made the foregoing estimates of improvements made upon the Grounds of the State-Prison of California, from May 1st, 1858, to January 1st, 1859.

HENRY WEBB,
JOHN B. QUINTOR.

POINT SAN QUENTIN, January 18, 1859.

STATEMENT

*Of Prison Contribution Fund, from May 1, 1858, to December 31, 1858.**

Received from Visitors	\$96 00
Received for work from Tailors' and Shoemakers' Shops.....	197 55
Total	\$293 55
Of this amount, paid to discharged Prisoners from May 1, 1858, to December 31, 1858.....	200 50
Balance on hand.....	\$93 05

* As to the manner in which this Fund is created, see Twenty-First Rule for Government of Prison.

Dr. THE STATE PRISON, IN ACCOUNT WITH THE STATE OF CALIFORNIA. Cr.

1858. Dec. 31..	To amount received from State Treasury		1858. Dec. 31..	By labor done, improvements made, and stock added to the State-Prison of California	\$77,523 38
Dec. 31..	To balance in favor of State-Prison....	\$54,861 61 22,671 77			<u>\$77,523 38</u>
		<u>\$77,523 38</u>	Dec. 31..	By balance in favor of State-Prison...	<u>\$22,661 77</u>

NOTE.—Stock added, \$1,144 70.

EXHIBIT,

*Showing the Number and Kinds of Shoes, Clothing, and Bedding, issued from
May 1 to December 31, 1858.*

Whole number of Shoes issued.....	564
Average monthly issues.....	88
In addition to the above, there has been a large amount of Shoes repaired, of which no account was taken	
Whole number of Hickory Shirts.....	824
Average monthly issues.....	103
Pants, whole number.....	784
Average monthly issues.....	98
Whole number of Flannel Shirts issued.....	228
Average monthly issues.....	28½
Whole number of Coats.....	120
Average monthly issues.....	15
Whole number of Mattresses.....	74
Average monthly issues.....	9½
Whole number of Blankets....	248
Average monthly issues.....	31

Total cost of the above articles, \$3,081 05.

EXHIBIT,

Showing the number of pounds of Provisions issued from May 1 to December 31, 1858; also, the Daily Issues to each Person, the number of pounds to each, and the Daily Cost of Rations.

Articles Issued.	Pounds.	Ozs.
Total number of pounds issued.....	485,266	
Daily issues of Meat, mostly Fresh Beef.....	655	9
Daily issues of Flour.....	619	10
Daily issues of Beans.....	605	13
Daily issues of Potatoes.....	549	10
Daily issues of Salt.....	70	1
Daily issues of Onions.....	24	14
Daily issues of Syrup.....	12	8
Daily issues of Lard.....	2	2
Daily issues of Coffee.....	54	13
Daily issue of Sugar (half to convicts on boats or burning bricks).....	19	15
Daily issues of Rice (half to sick convicts).....	6	1
Daily issues of Tea (half to sick convicts).....	1	
Daily issues of Pepper.....		10
Total number of pounds daily issued.....	2,622	10

Average number of pounds to each man, four and a half pounds per day. Cost of daily rations, including officers, employes, and convicts, a fraction less than thirteen cents.

STATEMENT,

Showing the names of the Officers and Employés at the State Prison, and the Compensation allowed to each.

Names.	Position.	Salary.
J. C. Gordon.....	Acting Warden and Superintendent of Labor.....	\$150 00
C. W. Robinson.....	Assistant Superintendent of Labor.....	100 00
J. O'Connor.....	Builder	100 00
G. Simpton.....	Commander of Boats.....	100 00
A. W. Taliaferro.....	Surgeon and Physician	100 00
W. R. I. McKay	Commissary	150 00
George H. Harrison	Clerk	75 00
George W. Sandford.....	Capt. of "Pike County"	75 00
H. Bristol	Police-Officer.....	50 00
E. Clarke.....	Gate-Keeper.....	50 00
J. Spell.....	Gate-Keeper.....	50 00
G. B. Gordon	Overseer.....	50 00
Thos. Kelly.....	Overseer.....	50 00
J. C. Morton.....	Lieutenant of Guard.....	50 00
J. McKenzie.....	Guard.....	40 00
H. Morgan.....	Guard.....	40 00
W. Burke.....	Guard.....	40 00
J. Curtin.....	Guard.....	40 00
G. Clarke.....	Guard.....	40 00
J. Davis.....	Guard.....	40 00
George W. Finn.....	Guard.....	40 00
B. Hogan	Guard.....	40 00
J. Jones.....	Guard.....	40 00
H. Johnston.....	Guard.....	40 00
B. Mannin.....	Guard.....	40 00
J. Kane	Guard.....	40 00
E. Newman.....	Guard.....	40 00
G. W. Simpton	Guard.....	40 00
J. Stuart.....	Guard.....	40 00
A. V. Alstine.....	Guard.....	40 00
W. C. Amos.....	Guard.....	40 00
W. Dunbar.....	Guard.....	40 00
J. Clarke.....	Guard.....	40 00
M. McLane.....	Guard.....	40 00
D. Finn.....	Guard.....	40 00
T. Watson.....	Guard.....	40 00

Whole amount of Monthly Compensation to Officers, Overseers, and Employés.....	\$2,030 00
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STATISTICS OF THE STATE-PRISON OF CALIFORNIA



TABLE FIRST.

Yearly Account of the State-Prison of California, to December 31, 1858.

YEARS.	Received new Prisoners.....	Escaped Prisoners recaptured.....	Discharged by expiration of Sentence.....	Pardoned	Restored to Citizenship.....	Escaped	Died or killed.....	Taken to Insane Asylum.....	Delivered to Sheriff, or taken out by Writs.....	Total Receipts.....	Total Discharges.....
1851.....	35					1				35	1
1852.....	105	3	12	2		16	1			108	21
1853.....	163	2	38	9		8	3			165	58
1854.....	211	16	102	14		87	6			227	209
1855.....	266	25	94	29	1	28	1		4	291	157
1856.....	258	29	103	18	4	65	5		1	287	196
1857.....	245	32	114	28		72	14	2	4	277	234
1858.....	226	33	97	*27	32	§†23	5	†3	7	259	191
										1649	1067
Total on hand Dec. 31, 1858....										582	

* Four of the Pardons for the year 1858 were granted by Gov. J. Neely Johnson.

† Two Prisoners were sent to Insane Asylum July 31, 1858, and received back on the 5th October following; hence they are not included in the above list.

† Four escaped during the months of January and February, 1858.

‡ Twenty Convicts escaped in 1852, whose names are not found on the Prison-register.

TABLE SECOND.—*Nativity of Prisoners.*

UNITED STATES.

State.	No.	State.	No.
Alabama.....	5	New Jersey.....	6
Arkansas.....	3	New York.....	46
Connecticut.....	1	Ohio.....	17
Georgia.....	6	Pennsylvania.....	33
Illinois.....	12	Rhode Island.....	3
Indiana.....	4	South Carolina.....	4
Iowa.....	2	Tennessee.....	5
Kentucky.....	19	Texas.....	4
Louisiana.....	5	Vermont.....	6
Maine.....	8	Virginia.....	11
Massachusetts.....	16	Wisconsin.....	2
Mississippi.....	1	Maryland.....	14
Missouri.....	13		
New Hampshire.....	2	Total.....	248

FOREIGN.

Country.	No.	Country.	No.
England.....	24	Italy.....	9
Scotland.....	9	Spain.....	1
Wales.....	1	Portugal.....	3
Ireland.....	47	West Indies.....	4
British America.....	8	Mexico.....	78
France.....	8	Central America.....	5
Germany.....	25	Chile.....	15
Norway.....	1	Sandwich Islands.....	1
Sweden.....	3	East Indies.....	1
Prussia.....	2	Manila.....	3
Hungary.....	2	China.....	27
Switzerland.....	4		
Belgium.....	...	Total.....	283
Poland.....	2		

RECAPITULATION.

Total, United States.....	248
Total, Native Californians.....	51
Foreigners.....	283
On hand, 31st December, 1858.....	582

TABLE THIRD.

Classification of Crime.....December 31, 1858.

Crime	No.
* Murder, and Murder in second degree	46
Manslaughter.....	28
Assault, with intent to kill.....	38
Assault with a Deadly Weapon.....	14
Mayhem.....	2
Rape.....	10
Assault, with intent to commit a Rape.....	14
Robbery.....	33
Attempt to Rob.....	6
Accessory to Robbery.....	1
Crime against Nature	2
Burglary.....	32
Attempt to commit Burglary.....	3
Grand Larceny.....	312
Attempt to commit Grand Larceny.....	1
Arson.....	5
Forgery.....	7
Perjury.....	3
Embezzlement.....	2
False Personation.....	1
Counterfeiting.....	2
Receiving Stolen Goods	1
Attempt to release a Prisoner	2
Felony.....	8
Gaming.....	1
Not specified in the Commitment	8
Total.....	582

* Nine for murder—balance, murder second degree.

NOTE.—Seventy-one of the convicts now in Prison are serving their second term, and quite a number the third term.

TABLE FOURTH,

Number of Prisoners from each County.....December 31, 1858.

Counties.	No.
Alameda.....	6
Amador.....	21
Calaveras.....	33
Colusa.....	...
Contra Costa.....	10
Del Norte.....	4
El Dorado.....	11
Fresno.....	3
Humboldt.....	3
Klamath.....	2
Los Angeles.....	31
Mariposa.....	17
Monterey.....	7
Merced.....	1
Marin.....	5
Mendocino.....	...
Napa.....	10
Nevada.....	21
Placer.....	21
Plumas.....	3
Sacramento.....	73
San Bernardino.....	4
Santa Barbara.....	5
Santa Clara.....	18
Santa Cruz.....	10
San Diego.....	...
San Francisco.....	95
San Luis Obispo.....	2
San Mateo.....	3
San Joaquin.....	19
Shasta.....	11
Sierra.....	7
Solano.....	4
Sonoma.....	8
Stanislaus.....	4
Siskiyou.....	10
Sutter.....	4
Tchama.....	2
Trinity.....	4
Tulare.....	...
Tuolumne.....	29
Yolo.....	2
Yuba.....	31
Butte.....	28
Total.....	582

NOTE.—As there are no Prisoners from Buena Vista County, no entry has been made.

TABLE FIFTH.

Terms of Imprisonment.....December 31, 1858.

For.	No.
Life.....	8
Twenty years and upwards.....	17
Fifteen to twenty years.....	14
Ten to fifteen years.....	85
Seven to ten years.....	47
Five to seven years.....	20
Five years.....	94
Four years.....	53
Three years.....	98
Two years.....	88
One year.....	58
Total.....	582

NOTE.—The aggregate of the sentences (excluding eight for life,) is..... 3,164
 Divided amongst 574 Prisoners, gives an average to each Prisoner of..... 5 6 4

Years. Months. Days.

TABLE SIXTH.

Ages of Prisoners.....December 31, 1858.

Age.	No.
Under twenty years.....	54
From twenty to twenty-five years.....	242
From twenty-five to thirty years.....	159
From thirty to fifty-five years.....	64
From thirty-five to forty years.....	34
From forty to fifty years.....	26
From fifty to sixty years.....	3
Total.....	582

TABLE SEVENTH.

Former Occupation of Prisoners.

Occupation.	No.	Occupation.	No.
Bakers.....	11	Physicians.....	2
Barbers.....	4	Plasterers.....	2
Boat-builder.....	1	Printers.....	2
Blacksmiths.....	17	Ropemakers.....	2
Bricklayers.....	5	Roller of Iron.....	1
Butchers.....	6	Saddlers.....	2
Carpenters.....	28	Sail-maker.....	1
Clerks.....	6	Sailors.....	40
Chandlers.....	1	Shoemakers.....	13
Coopers.....	4	Silversmiths.....	2
Cigar-makers.....	2	Stewards.....	7
Chair-makers.....	2	Stone-cutters.....	5
Charcoal-burner.....	1	Tailors.....	12
Coach-trimmer.....	1	Tanners.....	3
Cooks.....	23	Teamsters.....	3
Engineer.....	1	Tinsmiths.....	3
Farmers.....	36	Trunkmakers.....	1
Gamblers.....	2	Turner.....	1
Gold-beater.....	1	Upholsterers.....	3
Hack-driver.....	1	Veterinary Surgeon.....	1
Looking-glass-maker.....	1	Vaqueros.....	15
Machinists.....	6	Washmen.....	7
Merchants.....	5	Weaver.....	1
Miners.....	19	Wool-puller.....	1
Moulders.....	4	Laborers.....	259
Painters.....	4		
Peddlers.....	1	Total.....	582

This table is, in many instances, incorrect, as many of the convicts assign to themselves occupations of which they are totally ignorant.

TABLE EIGHTH.

Number of Prisoners at various Periods, from March 1, 1858, to Dec. 31, 1858.

Time.	No.
March 1, 1858.....	523
April 1, 1858.....	532
May 1, 1858.....	537
June 1, 1858.....	539
July 1, 1858.....	539
August 1, 1858.....	544
September 1, 1858.....	541
October 1, 1858.....	542
November 1, 1858.....	556
December 1, 1858.....	577
December 31, 1858.....	582

TABLE NINTH.

Number of Prisoners Escaped, and those Recaptured, from May 1, 1858, to December 1, 1858.

Escaped.	No.	Recaptured.	No.
May, 1858.....	1	May, 1858.....	1
June, 1858.....	6	June, 1858.....	8
July, 1858.....	1	July, 1858.....	3
August, 1858.....	1	August, 1858.....	4
September, 1858.....	2	September, 1858.....	...
October, 1858.....	...	October, 1858.....	1
November, 1858.....	4	November, 1858.....	2
December, 1858.....	3	December, 1858.....	4

TABLE TENTH.

Educational Ability of Prisoners.

NATIONALITY.	No. able to read.	No. able to write.	No. able to read & write.	No. able to do neither.
United States.....	220	208	208	28
England.....	19	19	19	5
Scotland.....	9	8	8	.....
Wales.....	1	1	1	.....
Ireland.....	35	33	33	12
British America.....	7	6	6	1
France.....	7	7	7	1
Germany.....	22	22	22	3
Norway.....	1	1	1	.....
Sweden.....	2	1	1	1
Prussia.....	2	2	2	.....
Hungary.....	1	1	1	1
Switzerland.....	4	4	4	.....
Belgium.....	.....	.....	.....	.....
Poland.....	2	2	2	.....
Italy.....	6	6	6	3
Spain.....	1	1	1	.....
Portugal.....	1	1	1	2
West Indies.....	1	1	1	3
East Indies.....	1	1	1	.....
Manila.....	1	1	1	2
China.....	24	24	24	3
Sandwich Islands.....	.....	.....	.....	1
Mexico.....	21	18	18	57
Central America.....	.....	.....	.....	5
Chile.....	6	5	5	9
Native Californians.....	4	4	4	47
Total.....	398	377	377	184

RECAPITULATION.

NATIONALITY.	No. able to read.	No. able to write.	No. able to read & write.	No. able to do neither.
United States.....	220	208	208	28
Foreigners.....	174	165	165	109
Native Californians.....	4	4	4	47
Total.....	398	377	377	184
Total number of Prisoners, December 31, 1858.....	582	.....	.....	.....

REPORT OF THE PHYSICIAN.

PHYSICIAN'S REPORT.

HON. JOSEPH WALKUP,

Warden of the State-Prison of California:

SIR:—In obedience to your request, I present to you the following report from the Medical Department of the State-Prison of California, from the 1st of May, to 31st of December, 1858.

REPORT.

The sanitary condition of the Prison has been unusually good during the past year. There has been a great decrease in dysenterys, diarrhœas, and the various affections of the stomach and bowels. These diseases have heretofore prevailed to a very great extent here. Catarrhal and rheumatic affections have been very plentiful, and are becoming very troublesome. The cause of this is found in the crowded state of our Prison.

As you know, the men when locked up are literally piled one upon another; this fills the rooms with animal heat and impure air. The mornings are cold and chilly, and the men are called out early to work. The sudden transition from heat to cold, with their bodies much relaxed and debilitated by the heat and impure air of the rooms, renders them very susceptible to the above-mentioned diseases. The nature of the work also combines to produce the same effects. For the same reasons, fevers would also be very common but for the extreme salubrity of this point.

What fevers there have been, have been generally of the mildest grade. I have had to treat more than the usual number of ague and fever, but I find the seeds of this disease almost invariably sown in some other locality before coming here. The annexed tables will show rather a large array of chronic constitutional diseases, and other diseases of a peculiar nature, brought on by the indiscretions and follies of the men's past lives. The only remedy for this must be in the general improvement of the *morale* of this particular class before coming here. There have been but three deaths since the first of May, and but five for the whole year. Four have been from natural causes; and one from the effects of a gunshot wound, received while endeavoring to escape.

Annexed, you will find tables, giving the number of those who have received medical treatment, the nature of the diseases, deaths, insanity, etc., etc.

I have the honor to be

Your obedient serv't,

ALFRED W. TALIAFERRO.

Physician and Surgeon of State-Prison

TABLE FIRST.

Number of Prisoners that have received Medical Treatment, in and out of the Hospital, from May 1 to December 31, 1858.

MONTHS.	Number receiving medical treatment during the month.....	Number received in Hospital...	Number discharged from Hospital.....	Number died in Hospital.....	Number in Hospital end of each month
April.....					10
May.....	815	8	5	1	12
June.....	611	8	7		13
July.....	573	6	2	2	15
August.....	580	4	7		12
September.....	556	5	6		11
October.....	562	6	7		10
November.....	618	10	8		12
December.....	856	6	5		13

TABLE SECOND,

Showing number of Deaths in the Year 1858.

Names.	Color.	Age.	Date of receipt in Hospital.	Date of Death in Hospital.	Nature of the disease.
*John Riley..	White.	23	Nov. 12, '57	Jan. 19, '58	Constitutional Syphilis...
*Jas. F. Butts	White.	23	Feb. 8, '58	Mar. 22, '58	Consumption
†Fr'nk Dixon	Black.	23	May 12, '58	May 13, '58	Gun-shot Wound.....
José Flores...	White.	38	Mar. 6, '58	July 5, '58	Hypertrophy of Heart...
Den. Connolly	White.	26	July 1, '58	July 5, '58	Ulceration of Bowels....

* Died while Prison was in charge of J. F. McCauley.

† Shot while attempting to escape, May 12, 1858.

TABLE THIRD,

Showing the number of Prisoners sent to Insane Asylum since the formation of the Prison.

Name.	Color.	Age.	Date of Rec'pt in Prison.	Crime.	Time of Sent'ce	Sent to Insane Asylum.	Returned to Prison.
Daniel Nunne.....	White.	29	April 3, 1855..	Grand Larceny.	3 years	Oct. 20, 1857	.....
Valentine Nunne..	White.	31	April 3, 1855..	Grand Larceny.	3 years	Oct. 20, 1857	.....
Manuel Garcia.....	White.	24	Dec. 30, 1854.	Grand Larceny.	6 years	Jan. 7, 1858..	.....
James Brown.....	White.	27	Aug. 25, 1855	Grand Larceny.	10 do	Jan. 5, 1858..	.....
Maria Gomez.....	White.	25	Dec. 6, 1857...	Assault with a Deadly Weapon	1 year.	March 22, '58	.....
Alfred Bremen*...	White.	24	March 3, 1858	Grand Larceny.	4 years	July 31, 1858	Oct. 5, 1858..
Peter Metz†..	White.	30	May 7, 1858...	Murder 2d deg.	Life....	July 31, 1858	Oct. 5, 1858..

* Still subject to periodical fits of insanity.

† Feigned insanity.

TABLE FOURTH.

Number of Insane now in the Prison.

Name.	Age.	Color.	Crime.	Term of Sentence.	Apparent form.	Health.	Prospects
Lewis W. Freeman	40	White.	Grand Larceny.	4 years.	Simple Dementia.	Good.	Unfavorable.

TABLE FIFTH.

Number Pardoned by Governor Weller, under Certificate of the Physician.

Name.	Color.	Age.	Date of Receipt.	Crime.	Term.	Date of Pardon
Lee Schell*	White.	20	February 19, 1857.....	Grand Larceny ...	5 years...	Sept. 24, 1858.
William Jennings.	White.	39	October 22, 1858.....	Grand Larceny ...	7 years...	October 18, '58

* Lee Schell died in about six days after his discharge.

TABLE SIXTH.

Character of Diseases treated from May 1 to December 31, 1858.

Character of Disease.	No.
Intermittent Fever.....	16
Remittent Fever.....	18
Dysentery.....	10
Chronic Dysentery.....	2
Diarrhœa.....	15
Rheumatism Chronic.....	16
Rheumatism Acute.....	33
Pleurisy.....	7
Pneumonia.....	3
Inflammation and Abscess of Liver.....	4
Influenza.....	150
Catarrh.....	73
Angina Pectoris.....	1
Hypertrophy of Heart.....	1
Phthisis Pulmonalis.....	3
Constitutional Syphilis.....	21
Syphilis, (recent).....	8
Gonorrhœa.....	21
Stricture of Urethra.....	6
Hydrocele.....	1
Ophthalmia.....	6
Hæmorrhoid.....	6
Cystitis.....	2
Fistulo in Anó.....	4
Ulceration of Bowels.....	1
Congestion of Spleen.....	1
Erysipelas.....	1
Epilepsy.....	3
Fractures.....	3
Gun-shot Wounds.....	6
Knife Wounds.....	2
Burns and Scalds.....	2
Hernia.....	5
Cholera-Morbus.....	3
Total.....	374



RULES FOR CONVICTS AT THE STATE-PRISON,

SAN QUENTIN.

Convicts are to be respectful and obedient to the Officers; industrious, and submissive to the rules and regulations of the Prison; to obey all orders promptly. When about to speak to an Officer, to salute him, by raising the hand to the forehead. To exhibit no ill-temper when reproved or admonished by an Officer; nor to have unnecessary conversation, or enter into any collusive proceedings with an Officer; or have unnecessary conversation with Convicts, or unto them; nor speak to any person from without the Prison; nor answer any questions from such a one but by permission of the Warden. Not to look at visitors. Nor leave the stand for labor; nor go out of the place of labor without permission of an Officer. They are not permitted to have any snuff or tobacco; nor to have pens, pencils, ink, or paper, without permission. Nor to carry food into the yard or shops; nor to make any alteration whatever in their clothing, without permission of the Officer.

They are to be prompt in taking their proper place in the division at bell-ringing. To march in close order, body erect, and hands by the side of the thighs, and occupy such seats as may be assigned them.

They are to be cleanly in person, clothing, and cell. To use the spit-dish when necessary, and not spit on or out of the door, nor on the walls or floor. They are not to mark, scratch, or in any way mar or disfigure the cell, nor push open the door with the feet. Not to injure or misuse any book, dish, or other article or thing whatever, allowed in the cell. Not to make any change, by bringing in or carrying out any article from the cell, contrary to regulation. Bed and bedding to be kept in good order. Not to rap on the doors except in case of sickness, or of absolute necessity.

At the ringing of the first bell in the morning, they are to turn out, dress, fasten up the cot, and have the bucket, ready for marching out. At the order, they are to throw the door open gently, to the wall, step out, and march, when ordered.

In marching into the room where Divine Service is to be performed, each Convict is to take the seat assigned him, and while there to give his entire attention to the services. All disposition to cough, as far as possible, be suppressed; and no shuffling with the feet, or movement

of the body, calculated to disturb the order and quiet of the Service, be indulged in or practiced.

If two or more Convicts are passing about the yard in the same direction, they must walk in single file, and never abreast. Nor must any Convict be suffered to loiter about the yard without permission.

If unwell, and needing the advice of the Physician, they are to report to the Officer of their Department, immediately after marching in, in the morning. If sent to the Hospital, they must proceed directly to that place, and await the decision of the Physician. When ordered to the yard, for exercise and air, they must confine themselves within the limits of that part of the yard designated for that purpose.

When wishing to speak to the Warden or to have an interview with any other Officer, the Convict is to make known his desire to his Officer, and in no case to speak to either in any place without permission of said Officer.

We are directed by the Governor to say, that the record of punishments, which the Warden is required to keep, will be closely examined in all cases where applications for pardon or restoration to citizenship are made, and no one whose conduct has been bad, can expect any clemency from him.

JOHN B. WELLER,	} State-Prison Directors.
JOSEPH WALKUP,	
FERRIS FORMAN,	

RULES AND REGULATIONS

FOR THE GOVERNMENT OF THE STATE-PRISON, AT SAN
QUENTIN.

RULE I.—The Chief Warden shall have the control of the Officers of the Prison; and of the management thereof, subject only to the rules enacted, or that may be hereafter enacted, by the Board of Directors.

RULE II.—The Warden, in the absence of the Chief Warden, shall have the control of the Prison and Convicts; and all lawful orders which he may give, shall be promptly obeyed.

He will be held responsible for the proper conduct of the Officers of the Prison, and shall have power to suspend from duty, any Officer or Employé who may be derelict in his or their duty, and shall immediately report the same to the Board of Directors for their action.

He will furnish at the end of each month to the Board a full and detailed statement of the operations of the Prison, and shall furnish them at the commencement of each month, an estimate of the funds required during that month.

No property belonging to the State shall be sold or exchanged except by order of the Board of Directors.

The Warden shall take charge of, and will be held responsible for, all moneys and effects belonging to the Convicts, which shall be turned over to him by the Police-Officer.

RULE III.—The Superintendent of Labor shall have charge under the general direction of the Chief Warden (or, in his absence, of the Warden,) of all laboring parties inside or outside of the walls of the Prison; excepting the Tailors' and Shoemakers' shops. When employing Prisoners outside of the walls, he shall, before removing them, report to the Lieutenant of the Guard the number which he proposes to employ, and where.

He shall have the control, under the general direction before specified, of the chaining, confining, and punishment of all prisoners.

RULE IV.—The Assistant Superintendent of Labor shall be under the general direction of the Superintendent of Labor; and shall perform such duties as shall be directed by him, and will also be held responsible for the working stock.

RULE V.—The Overseers and Employés having charge of working parties will be under the control of the Superintendent of Labor, and they must perform such duties as he may assign them.

RULE VI.—The Commissary and Quartermaster shall have charge of all stores and live stock, other than those employed in the work of the Prison.

He will have the general superintendence of the Tailors' and Shoemakers' shops. He shall purchase, when required by the Warden, the supplies and materials for the Prison.

He shall see that every article purchased, is delivered at the Prison within the month for which the purchase was made.

He shall take duplicate bills, specifying the date of the purchase, each article purchased, and the price paid for the same.

He shall present receipted bills for all articles purchased for the current month to the Chief Warden, on or before the last day of said month, and shall perform such other duties as may be required by the Board.

The Commissary shall be required to keep a record of the daily issues from his department.

The Commissary, under the direction of the Warden, shall be required to pay to any discharged Convict, a sum not exceeding ten dollars, to be taken out of the "Relief Fund for Discharged Prisoners."

RULE VII.—The Physician shall reside at the Prison; he shall examine and prescribe for, and professionally superintend the care and medical treatment of, sick or disabled Prisoners; he shall attend the examination and description of Convicts upon their arrival at the Prison. He shall take care that the dead are decently and properly buried; and perform such other duties connected with his profession as the Board of Directors, or Chief Warden, shall prescribe.

RULE VIII.—The Lieutenant of the Guard shall be held responsible for the conduct of all the Guards who may be employed at the Prison; shall be held responsible for their discipline and the safe-keeping of the Convicts.

He shall see that the Guards are properly posted by day and by night, and that each one promptly and faithfully discharges his duty.

He will see that the Prisoners, when engaged in their labors outside of the walls of the Prison, are properly guarded, but shall have no control of them except to see that they do not escape, or go outside of the lines without the permission of the proper Officer.

He shall be present at the counting of the Prisoners each evening; shall be held responsible for their safety when they are brought inside of the walls of the Prison, and shall also be present at each meal of the Prisoners, in conjunction with the Police-Officer. He will take care that drunken, disorderly, or evil-disposed persons do not approach the Convicts, or go upon the Prison-grounds.

RULE IX.—The Clerk shall keep a record of the proceedings of the Board of Directors, and shall perform such other duties as may be enjoined upon him by the Board of Directors, or the Warden, from time to time.

RULE X.—The Commander of the Boats shall have charge of all the boats and other crafts belonging, or that may hereafter belong, to the

Prison, and shall see that they are kept in proper order, and ready for use.

RULE XI.—The Captains shall be under the directions of the Commander of the Boats.

RULE XII.—The Police-Officer shall be held responsible for the police of the Prison. He shall see that the cells, and other buildings occupied by convicts, are properly cleansed and attended to. He shall be present at the daily roll-call of the Prisoners, see that the cells and other rooms occupied by Convicts are properly locked and fastened, and, upon completion thereof, shall immediately report to the Warden.

It shall be his further duty to be present at each meal of the Convicts, and see that they are kept in proper order.

RULE XIII.—The Gate-keepers shall permit no Prisoner to pass outside the gate until it shall have been signalized that the Guards are regularly posted, except by the order of the Superintendent of Labor, or Warden; nor shall they allow any Convicts to pass outside the Gates, unless so ordered by the Warden, or Superintendent of Labor. Said Gate-keepers shall keep a correct daily account of all the Convicts passing in and out of the gates, and, immediately upon the ringing of the second evening-bell, they shall make a correct report of the Convicts so passing in and out, to the Superintendent of Labor.

RULE XIV.—The Guard shall be under the control of the Lieutenant of the Guard, and shall obey all orders issued by him in relation to guarding, safe-keeping, and arrest of Prisoners.

RULE XV.—The Chief Warden shall make provision for holding Divine service on the Sabbath, within the walls of the Prison, and an invitation is hereby extended to Ministers of all Christian Churches, in good standing, to officiate at such service or services.

RULE XVI.—Each Convict, upon his discharge from the Prison, shall be provided with a decent suit of clothes.

RULE XVII.—Disorderly conduct shall not be allowed about the Prison, and the house occupied by the Officers shall be closed at 10 o'clock, p. m., and lights extinguished, except when public business shall require the time to be extended.

RULE XVIII.—Any Officer or Employé who shall be found engaged in gambling upon the Prison-grounds, or intoxicated when on duty, shall be promptly discharged.

RULE XIX.—It is enjoined upon all Officers and Employés, to treat the Convicts like human beings entitled to commiseration, and who may reform and become useful members of society; they are to be treated with as much kindness as is consistent with security.

Any person violating this principle in his intercourse with them, will be promptly discharged.

RULE XX.—The habitual punishment will be confinement in the dungeon, on bread and water. Corporal punishment can only be inflicted

under the immediate direction of the Warden, and as seldom as possible. A record of all punishments must be kept, and reported to the Directors at the end of each month.

RULE XXI.—All work performed by Convicts for the Officers or Employés of the Prison, will be charged to the pay-roll, and constitute a fund for distribution amongst discharged Prisoners.

RULE XXII.—Female Prisoners must, at all times, be kept separate from the Males, and confined in different apartments.

RULE XXIII.—In case of death amongst the Convicts by violence, immediate notice must be given to the Coroner of Marin County, in order that an inquest may be held, if he deems it necessary.

RULE XXIV.—Visitors to the Prison will not be allowed to converse with a convict, unless in the presence of an Officer of the Prison. Nor can letters be sent to or from them, unless they shall have passed through the hands of the Warden.

JOHN B. WELLER,	}	State-Prison Directors.
JOSEPH WALKUP,		
FERRIS FORMAN,		

MEMORIAL

OF

THE MILITARY CONVENTION,

RELATIVE TO

A MILITIA LAW.

~~~~~  
JOHN O'MEARA,.....STATE PRINTER.

## MEMORIAL,

### ASKING FOR THE PASSAGE OF A MILITIA LAW.

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*To the Honorable Senate and Assembly of the State of California :*

The undersigned, commissioned officers of the State of California, sitting as members of a Military Convention assembled in Sacramento for the purpose of suggesting to the Legislature, now in session, such amendments to the existing law as past experience has shown to be requisite in order to promote the efficiency of the Volunteer System, by stimulating and encouraging the formation of organized companies, respectfully memorialize your Honorable Bodies, and represent :

That the present Act concerning the organization of the Militia is seriously defective, in that its provisions fail to extend protection to those who—animated either by motives of patriotism, a taste for military exercises, or by a desire to strengthen the arm of the civil government by the existence of companies accustomed to the use of arms, disciplined to obey, and drilled to act, in compact bodies—are immediately available for the defence of their country against invasion by a foreign foe, or for service in any intestine disturbances which the history of events will show to be not of impossible occurrence in the confederated States of the Union. Under the present law, the volunteer who sacrifices his time and expends money for the attainment of that knowledge of arms, evolution, and duty, which, under our institutions is extended by law to the limited few élites of the National Academy, but is denied to the rank and file who stand the shock and brunt of battle, enjoys no compensatory advantages over those who, neglecting such studies, are of comparatively little worth and efficiency, when called into the field, however firm in courage or patriotic in zeal. Our Independence was achieved by a citizen soldiery; the war of 1812 was shortened in duration, as its glorious successes were heightened, by the enlightened valor of militia-men who had received the benefits of a military knowledge, under various local enactments, so that they entered the contest, not as raw recruits, but with a certain acquaintance with a soldier's duties; and the fact that the new levies ordered into service, both as volunteers and enlisted men during the Mexican war, stepped from their hearth-stones into the trench, led the daring assault, or turned back to the fiery charge, with the nerve, precision, and collectedness of experienced soldiers, conclusively attests the importance

of educating the citizen to perform the duties of a soldier in the hour of his country's need.

As it is the pleasure of the citizen to learn those exercises that will qualify him for the high position of a defender of his country's rights and of his country's laws, it is also the duty of those who legislate for those interests to foster and sustain a branch of the service that may be derided in time of peace, but has ever been, and necessarily ever will be, resorted to in the hour of danger.

If the past has illustrated, in the older States, the importance and value of a system that has extorted honor and praise, even from prejudiced opponents, it is to be hoped, and is expected, that in our own State, so widely separated from the parental means of protection, none will be found to deny material aid and encouragement to the Volunteers of California. Few of those who now enjoy the honors of political trust but have served their country in the tented field; while few of that number confronted the enemy with any other knowledge of arms than that derived in the pastime of peaceful service.

How well they performed their common duty, and of what value even a limited knowledge of military service proved to their country, the history of the late war will amply illustrate.

We respectfully submit to your respective bodies the draft of a bill, that has been compiled from the existing laws of those States that are preëminent in the efficiency of a volunteer soldiery. We have adopted the recommendations of His Excellency, the Governor and Comander-in-Chief, made last year, in the substitution of elections in lieu of appointments, of General Officers, and the principal provisions of the bill reported to the Legislature by the Committee on Military Affairs.

On behalf of the Volunteer System and those who compose it, we ask your attention and favorable consideration, and offer assurances that with the coöperation of your Honorable Bodies, the Volunteers of California will ever hereafter prove themselves to be soldiers in deeds as well as in name.

Respectfully,

JOHN A. SUTTER.....Major-General 5th Division,  
O. C. HALL.....Brigadier-General 4th Division,  
N. GREENE CURTIS.....Brigadier-General 4th Division,  
J. P. HAVEN.....Brigadier-General 2d Division,  
T. W. WELTY.....Col. and Assis't Adj't-General, 4th Div.,  
D. A. HUNGERFORD...Major Sierra Battalion,  
E. A. RIGG.....Captain Marion Rifles,  
P. E. CONNER.....Captain Stockton Blues,  
E. E. EYRE.....Captain Sutter Rifles,  
L. L. BAKER.....Captain City Guards,  
R. SHOEMAKER.....Captain Nevada Rifles,  
— AYER.....Captain Forest City Rifles,  
J. H. STUART.....A. D. C., 4th Division,  
J. HOWELL.....First Lieutenant City Guards,  
C. J. TORBERT.....First Lieutenant Sutter Rifles,  
PHIL. MOORE.....First Lieutenant Nevada Rifles,  
J. H. VIRGO.....Second Lieutenant Sutter Rifles,  
J. LOHMAN.....Second Lieutenant Ind. City Guards,  
H. COVEY.....Second Lieutenant Sutter Rifles.

Attest :

A. A. VANGUELDER...Captain Coloma Greys, Secretary.

SACRAMENTO, January 19, 1859.

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REMONSTRANCE

OF

Members of the Legal Profession

AGAINST

SENATE BILL NO. 58.

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JOHN O'MEARA.....STATE-PRINTER.

REMONSTRANCE.

To the Honorable the Senate and Assembly of the State of California :

The undersigned, members of the Bar of the City and County of San Francisco, beg leave to present this their most earnest remonstrance against the passage of Senate Bill No. 58, entitled "An act to amend an Act entitled an Act concerning conveyances, passed April 16th, 1850," as well as against any legislation impairing the present legal effect of actual possession and occupation of real property, as evidence of notice to subsequent purchasers and incumbrancers of the right and title under which the possessor holds. That the law, as at present firmly settled, gives to the fact of actual possession the effect alluded to, will not, we presume, be questioned. In the unanimous opinion of the Supreme Court of the United States, delivered in the case of *Landes v. Brant*, and reported in 10 Howard's Reports, 375, the rule of law is thus stated : "It is conclusively settled in England, that open and notorious adverse possession is evidence of notice, not of adverse holding only, but of the *title* under which the possession is held, and in the United States we deem it to be equally settled, nor are we aware that a contrary doctrine is held in any State in the Union."

It is most obvious, that a rule of property thus universally recognized, can not be suddenly overturned without producing extensive mischief. The policy of such an innovation, would at least be doubtful, even in the old States, where great accuracy is observed in the legal formalities requisite in conveying land. But in this State, where recorded titles are generally, or at least, frequently defective, its effects would be disastrous in the extreme ; *bona fide* owners, in possession, who may have improved their property with a lifetime of toil, would be defenceless against the schemes of unprincipled speculators, who make it their business to search out technical defects in recorded titles. As neither their actual possession, nor the records, by reason of technical defects, would legally be notice of their title, however just and valid, their property would be purchased from under them for a mere song, and their families would be thrown upon the world, destitute and homeless.

No mark of ownership can be more natural, conspicuous, and unmistakable, than that which every one impresses upon his own when he reduces it to possession, occupies, and improves it. No monument upon

the land, with inscriptions which he who runs may read, can be better calculated to give notice that the actual possessor has some right to the land, upon every rod of which are seen the foot-prints of himself and family, and which has been indelibly branded with his handiwork.

The Senate bill referred to, sweeps away this rule of law as it now is, and the great protection to honest titles which it affords. The undersigned, therefore, would regard the passage of that bill, or any other similar bill, as the greatest calamity the Legislature could inflict upon the State.

Janes, Lake & Boyd,
Delos Lake,
Jno. J. Williams,
Stanly & Hayes,
Sidney V. Smith,
Hall McAllister,
J. J. Papy,
E. A. Lawrence,
Jno. S. Hager,
S. W. Holladay,
Sam'l H. Brodie,
Horace Hawes,
W. W. Stow,
E. W. Taylor,
T. W. Freelon,
Annis Merrill,
P. Barny,
R. F. Perkins,
John H. Saunders,
H. W. Halleck,
Edward Norton,
P. W. Shepheard,
A. C. Peachy,
B. F. Pate,
Wm. Rabe,

H. P. Janes,
Chas. McC. Delany,
Elisha Cook,
Wm. Graham Wood,
Eugene Casserly,
Francis J. Lippitt,
Joseph H. Moore,
F. A. Fabens,
I. N. Thorne,
John Satterlee,
James D. Thornton,
Wm. H. Sharp,
G. W. Beckh,
Jas. Thos. Boyd,
Wm. W. Crane, Jr.,
Julius C. McCenery,
S. C. Hastings,
J. Lancaster Brent,
Edward Mackinlay,
Gregory Yale,
Thos. C. Hambly,
James Pratt,
S. H. Dwinelle,
C. Burbank,
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